

## HOW BARE DO YOU DARE?

Grace Bradberry on what to show at the office party  
PAGE 14



## GURU POWER

Simon Jenkins on God's gift to cynicism  
PAGE 16



## FISH OUT OF WATER

The sex-change flounders  
PAGE 9



## WIN A TOYOTA FAMILY FUN CAR

TOKEN 4, PAGE 30



# War declared on 'cheating' Tories

By PHILIP WEBSTER  
POLITICAL EDITOR

Labour and LibDems end parliamentary co-operation after Government 'rigs' fishing vote

LABOUR and the Liberal Democrats have refused to co-operate with the Government in all future Commons divisions after accusing it of cheating in Monday's fishing vote.

The spectre of ministers regularly being dragged back to Westminster from overseas visits and sick MPs being wheeled in for crucial votes throughout the final months of the present parliament faced ministers after the opposition parties announced they were ending "pairing" deals with

the Government. Amid unprecedented accusations of breaching the faith and trust on which the running of Parliament depends, it emerged that the Conservatives had "paired" three of their MPs in Monday's vote with three Labour MPs and three Liberal Democrat MPs.

Three Tories had simply "taken out" six Opposition MPs.

The result of the "double counting" was that the Government's majority of 11

should have been eight. What compounded the outrage of Donald Dewar, the Labour Chief Whip, and Archie Kirkwood, his Liberal counterpart, was that if the nine Ulster Unionists had voted against the Government rather than abstained it would have lost by one vote.

And they emphasised at Westminster last night that when the two deals were done ministers had no way of knowing which way the Unionists would vote. The

Government therefore faced accusations from all sides that it had cheated to avoid being defeated. Its punishment will be a prolonged period of guerrilla warfare leading up to the election.

Pairing is the longstanding convenience at Westminster under which the Government matches one of its own MPs who needs to be absent with an Opposition MP in a similar situation. They then cancel each other out in the vote.

The matter came to light

when the Labour and Liberal Democrat whips checked their figures. They had been unable to understand why the Government's majority was so comfortable, because all the other minority party MPs had turned up.

They were astonished to find that some of their MPs had been paired with the same Tories.

It was being suggested last night that the practice of double-counting may have happened several times before

but had not been discovered through lack of cross-checking. At the centre of the controversy last night was Derek Conway, the Conservative pairing whip, who concluded separate deals with George Mudie, his Labour opposite number, and Mr Kirkwood.

Last Thursday he and Mr Mudie apparently agreed that the Tory MPs Terry Dicks and Walter Sweeney should be paired with the Labour MPs Norman Godman and Gareth

Wardell. On Friday afternoon Mr Conway and Mr Kirkwood agreed that the Conservative Sir Keith Speed should be paired with Sir Russell Johnston, Mr Sweeney with Paddy Ashdown, and Mr Dicks with David Alton.

As the tension rose in the Commons on Monday afternoon the Labour agreement was completed when Mr Speed and Richard Shepherd were offered as pairs for the ill Martin Redmond and Jimmy Dunnachie. Mr Dewar pro-

duced a "smoking memo" — a handwritten note from Mr Conway to Mr Mudie, dated Monday. It read: "George, two further names as promised — K. Speed, R. Shepherd. 4/4. Yours Derek."

Several hours after the accusations were levelled there was no official government reaction last night.

But privately senior whips did not attempt to deny the deals. It was said that Labour and the Liberal Democrats were being "bad losers", and that if the Labour and Liberal

Continued on page 2, col 4

Leading article, page 17

# Saunders trial was unfair, Euro court says

By FRANCES GIBB, LEGAL CORRESPONDENT, AND CAROL MIDDLEBY

TWO HUNDRED fraud prosecutions appeared to be at risk last night after the European Court of Human Rights ruled that the trial of the former Guinness chief Ernest Saunders was unfair.

The court said that evidence Mr Saunders was forced to give during a City investigation should not have been used against him in his trial in 1990. By sixteen to four, the judges said that the use of the material amounted to "a remarkable departure from one of the basic principles of fair procedure".

But the court rejected his demands for £4.5 million compensation and reduced his claim for nearly £340,000 in costs and expenses to £75,000.

The Government expressed dismay at the ruling and said that it was examining the court's decision to determine whether the law should be changed. The Serious Fraud Office said that it would resist all attempts to quash Mr Saunders's conviction or to award him compensation in Britain.

Department of Trade and Industry officials have identified some 200 pending cases in various stages of investigation where material has been similarly obtained, and which may now be at risk if it cannot be used to support a prosecution.

Mr Saunders, who was later involved in a clash with a television reporter over his apparent recovery from the irreversible Alzheimer's disease, said after the ruling:



Newsreader Jon Snow

"Had these interviews not been used, I would have been acquitted. I do feel myself to be an innocent man. This is just the tip of the iceberg in a totally unfair and politically motivated process to which I have been subjected. I never considered giving up this battle. It was not about compensation, but the vindication of my good name."

He and his legal advisers were "considering all options open to us legally and otherwise", including trying to have his conviction referred back to the Court of Appeal.

Mr Saunders was jailed for five years in 1990 for his part in a share price-rigging racket connected with the Guinness takeover of Distillers. But his sentence was halved on appeal and he served only ten months in an open prison until a doctor said that he appeared to have symptoms of incurable pre-senile dementia.

The doctor later admitted

that his diagnosis had been wrong and Mr Saunders, who has since put his illness down to stress, has gone on to carve out a lucrative career as a consultant.

Yesterday his victory press conference at St James's Club, Piccadilly, descended into farce as his spokesman became involved in a slanging match with the Channel 4 newsreader Jon Snow. Mr Saunders, an imposing, untanned figure of 6ft 2ins, looked bemused but stayed silent as George Devlin, a self-styled human rights consultant, suggested that Mr Saunders leave after he repeatedly asked Mr Saunders whether he considered himself a crook and about his apparent "recovery" from Alzheimer's disease.

Mr Devlin, who has advised the former Guinness chairman for six years, insisted: "Mr Saunders is not a crook". The DTI investigation had been "real Star Chamber stuff" and extremely intimidatory, with interrogations in windowless rooms.

But he refused to let journalists address his client directly and intercepted virtually all questions to avoid, he said, prejudicing possible further legal action. When Mr Saunders was asked about his health and whether he had duped the taxpayer and the medical profession by feigning dementia, Mr Devlin said: "A doctor gave a diagnosis and that doctor has publicly stated that he was wrong on his diagnosis of his condition. If



Ernest Saunders, smiling but silent after his European court victory yesterday

you have any problems with that I suggest you take it up with him."

But Mr Snow, whose 85-year-old mother, Joan, suffers from Alzheimer's and lives in a nursing home, declared Mr Devlin a "fraudster" for calling a press conference and not allowing the subject to speak.

"This is absurd, it is a nonsense", Mr Snow said. "There he is, the only person in the world to have recovered from Alzheimer's and he is not even able to speak for himself." He told Mr Devlin: "You are not a civil rights man, you are a denial of free speech man. You have stood squarely in the way

of perfectly decent questioning."

A pre-arranged interview with the BBC was also called off after Mr Saunders said he did not want to be asked any questions other than his reaction to the judgment.

Law may change, page 4

# Jackal questioned over attack on ex-M&S chief

By JOANNA BALE AND BEN MACINTYRE IN PARIS

BRITISH police yesterday questioned Carlos the Jackal, the jailed terrorist mastermind in Paris, over the shooting of a former Marks & Spencer chairman and the bombing of a London bank in the early 1970s.

Two Scotland Yard officers travelled from London to interview him at a law court after a previous attempt to question him foundered last month when he refused to cooperate. The Venezuelan-born convict — real name Ilich Ramirez Sanchez — did not admit involvement in the attacks and dismissed the investigations as "Zionist provocations".

The Yard officers focussed on the attempted assassination in December 1973 of Joseph Sieff, the late M&S chairman, outside his London home, and on the bombing in January 1974 of the Israeli Hapoelim Bank in the City.

Mr Sieff, who was vice-president of the Zionist Federation in Britain which raises aid for Israel, survived after being shot in the face. The

Popular Front for the Liberation of Palestine (PFLP), which Carlos backed at the time, claimed responsibility for the shooting.

Carlos reportedly told *Al Watan al Arabi*, a Paris-based magazine, in 1979 that he had been responsible for both the shooting and the bank bombing. But since his arrest in August 1994 Carlos has said the interview was a fake.

Last month, Carlos refused to leave his prison cell to meet British officers, accusing his guards of taking away his belt. Prison guards routinely take belts and shoelaces away from inmates to prevent possible suicide.

French police have accused Carlos of killing 83 people in a series of attacks in Europe and the Middle East. His boldest attack was the kidnapping of 11 Opec oil ministers in Vienna in 1975.

A Yard spokeswoman said: "Two officers are currently in France liaising with the French authorities as part of routine inquiries. Nothing new has emerged."

## Judge complains

A judge at Truro Crown Court complained that 46 forms had to be filled in to satisfy the "paper lust" of bureaucrats and bring to court a youth he was sentencing for murder.  
Page 3

Byline The Times overseas: Australia \$20, Belgium \$18, 32p; Canada \$20; Denmark \$18; Cyprus £11.20; Germany \$14.00; Greece \$12.50; Hong Kong \$14.00; India \$12.50; Japan \$14.00; Korea \$12.50; Luxembourg \$14.00; Malaysia \$12.50; Mexico \$12.50; Netherlands \$14.00; New Zealand \$12.50; Norway \$12.50; Portugal \$12.50; Singapore \$12.50; Spain \$12.50; Sweden \$12.50; Switzerland \$12.50; Taiwan \$12.50; USA \$20.

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TV & RADIO 42, 43  
WEATHER 22  
CROSSWORDS 22, 44

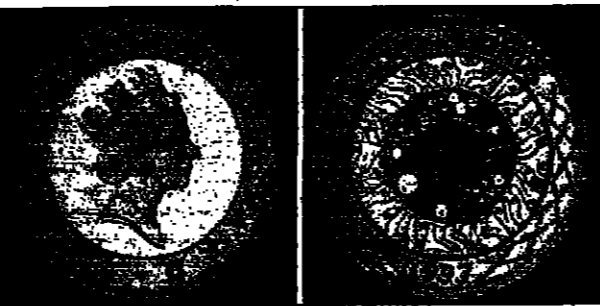
# New £2 will be coin of two colours

By ROBIN YOUNG

THE Treasury yesterday unveiled Britain's new £2 coin — the first to use two colours. It is embellished with a design tracing technological development from the Iron Age to the Internet.

The reverse of the £2 piece, to go into circulation in November, was designed by a Norfolk art teacher — Bruce Rushin of the Flegg High School at Marham. His work was chosen from 1,200 entries in open competition. The obverse bears the Queen's portrait by the sculptor Raphael Maklouf that is featured on existing coinage.

The new coin has a white centre and yellow outer ring — comparable to France's rather less valuable Fr10 coin that has been in circulation for some years. The centre is in cupro-nickel, the same material as the 5p, 10p and



Two sides of the £2 coin, in circulation from November

50p coins, and the outer band in nickel-brass, a formula slightly different from that of the £1 coin.

The £2 coin is larger than the £1 one, measuring 26.4mm in diameter, compared with 22.5mm.

Mr Rushin's choice of theme was deemed especially appropriate, the Royal Mint said, because it will be using all its most modern production techniques to have mil-

lions of the coins ready for general circulation.

Angela Knight, Economic Secretary to the Treasury, said at the unveiling: "The competition clearly captured the public's imagination. We were very keen to seek a fresh approach and Mr Rushin's design is an admirable winner."

To make the coin more difficult to forge, the image seen on the centre depends

on the angle of vision. Its milled edge bears an inscription: "Standing on the Shoulders of Giants", Newton's words acknowledging his debt to other scientists.

Though the coin will be the first £2 denomination to enter general circulation, millions of £2 coins have been minted in six commemorative designs since 1986, when one commemorated that year's Commonwealth Games in Edinburgh.

"The commemorative coins are issued to banks and Post Offices at face value and are legal tender," Graham Dyer of the Royal Mint said yesterday. "It was not our intention that they should be used as spending money, but quite a number have been."

The new £2 circulating coin will be available in collector versions in gold, silver and base metal from the Royal Mint in the new year.

# Manchester loses out to Wembley

WEMBLEY has been named as the site for the new national stadium and Manchester, its main rival, has been given the consolation prize of £60 million towards the cost of a stadium for the Commonwealth Games.

The long-expected decision to plump for the "Venue of Legends" ahead of the bid by Manchester was confirmed by United Kingdom Sports Council chairman, Sir Rodney Walker, in London yesterday.

Now it has the chance to bid for the World Cup, the Olympic Games and the athletics World Cup in the next century. National Lottery funding will provide almost half of the cost of the £210-£230 million facility for the most famous sporting site in the country.

City moves ahead, page 41

SOUTH SEA PEARL  
PENDANT WITH  
DIAMOND FROM £15,000

TAHITIAN BLACK PEARL  
STRAND FROM £4,000

WHITE SOUTH SEA PEARL  
STRAND FROM £18,000

TAHITIAN BLACK PEARL  
AND DIAMOND DROP  
EARRINGS FROM £4,000

SOUTH SEA  
PEARL EARRINGS  
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# Pairing proves scandals never come singly

WATCHING the debate on the Stalking Bill sat Jeff Ennis (Lab), the new-boy-by-election victor from Barnsley East. He was almost alone on the Opposition benches. He looked totally bewildered. Perhaps he was too frightened to go anywhere else.

His fears are justified. At least the lights are on in the Chamber. The dark corridors of Westminster are far scarier. One of the curiosities of this administration's dying weeks has been the torchlight beaming into corners rarely illuminated before.

First there was David Willetts blinking in the glare, pencil in hand, whip's note before him. And now the light

shines into MPs' "pairing" arrangements. Let me explain them.

Pairing is normally a long-term arrangement: a Tory MP and a Labour MP arrange to consult each other regularly and to pair on votes where it suits both to be absent. But *ad hoc* arrangements may be made for a particular vote: a sort of one-night stand. A Tory cannot normally register a Liberal Democrat as a pair, but in exceptional votes where what counts is the headline figure of all opposition votes combined, this might happen.

Pairing is not normally arranged through the whips but directly between MP and MP, then "registered" with the



whips' messengers — servants of the House, good men doing bad men's dirty work. They inhabit cubboards on each side of the Members' Lobby and deserve their MBEs.

An MP alerts them to his pairing plans in advance, seeking their approval. They check lists. If there are no problems, the whips' messengers rubber-stamp the plans. But they are answerable to the whips, who intervene in tricky or unusual situations. Problems are referred up. "Pair-

ing" whips from both sides meet regularly to confirm lists and consider awkward cases. "I've got a backbencher on his deathbed in East Anglia: whom can you offer me?"

A Tory could not have paired simultaneously with both a Labour and a Liberal Democrat MP and simply registered this: the messengers would have checked with their bosses. Of course, nothing would be easier than to cheat. You can do it by more straightforward means than

those of which the Tories are now accused: pair one of your backbenchers, then send him through the voting lobby anyway. But you can only do that once, for the system runs on trust and is actually of more use to the Government than to the Opposition.

Without an operational pairing scheme, government Members must be on hand to vote at all times, whereas the Opposition needs only to appear sporadically and to make lightning strikes.

If the latest row has arisen from an innocent mistake, this is likely to have occurred at the level of the junior whips at least. If the Tories really have cheated, they will have done so

on the following calculation: that a government defeat after the European fisheries debate would have been even worse news than the allegation of cheating; and that there was a chance that the opposition whips might not spot the sharp practice.

Indeed it is whispered that the ruse may have been used before, without the Labour whips — in the past an often *dorcy bunch* — spotting it. Donald Dewar may simply be the first Opposition Chief Whip to notice, talk to the Liberals, and compare notes. The Tories will just have to brazen it out, for apologies will achieve little: Mr Dewar is unlikely to call a ceasefire.

## Howard refuses to reopen 'tainted' cases against IRA

By RICHARD FORD, HOME CORRESPONDENT

MICHAEL HOWARD announced yesterday that the cases of 14 convicted IRA terrorists would not be reopened following an investigation into explosives contamination at a government scientific laboratory.

The Home Secretary told MPs that an independent inquiry into evidence had found that samples examined at the laboratory had not been affected by a contaminated centrifuge machine. But he said lawyers for 13 men and a dead woman, convicted of some of the most serious IRA bombing attacks in recent years, could make further representations about the convictions.

President Clinton attempted to put new life into the Irish peace process yesterday as he joined John Bruton, the Taoiseach, in demanding an IRA ceasefire in Ulster. "We can't make peace until we end violence... I want to reiterate my call for the IRA to institute a ceasefire in words as well as deeds," Mr Clinton said, in his first detailed comments on Ireland since his election. "If they do that I am convinced that Sinn Féin will be invited to participate in the talks."

since its installation. It was a "scientific oversight which is unacceptable and is to be much criticised".

The report, which added that the consequences of the contamination could have been potentially disastrous, made 18 recommendations, including tighter procedures and changes to existing practices and equipment at the laboratory. The Government has accepted 17 of them.

His most far-reaching recommendation was the creation of an independent Inspectorate of Forensic Science to monitor the laboratories. Mr Howard said that he accepted that recommendation in principle, but would weigh up its merits against the Royal Commission on Criminal Justice's suggestion of the creation of an advisory council on forensic science.

Sean McNulty, an English-born IRA recruit whose case was one of those studied, was sentenced to 25 years in 1994 after being found guilty of conspiring to bomb an oil terminal and gas works on Tyneside. David Hammond, his solicitor, said he would be seeing if the contamination represented additional grounds for appeal.

Mr Howard was speaking after a report by Brian Caddy, director of the Forensic Science Institute at Strathclyde University, into contamination at the Forensic Explosives Laboratory at Fort Halstead in Kent. It concluded that the results had produced a true measure of the presence of the explosive RDX, which is found in Semtex.

Mr Howard said: "We note Professor Caddy's key conclusion that the safety of criminal convictions is not in question as a result of the discovery of the contaminated centrifuge."

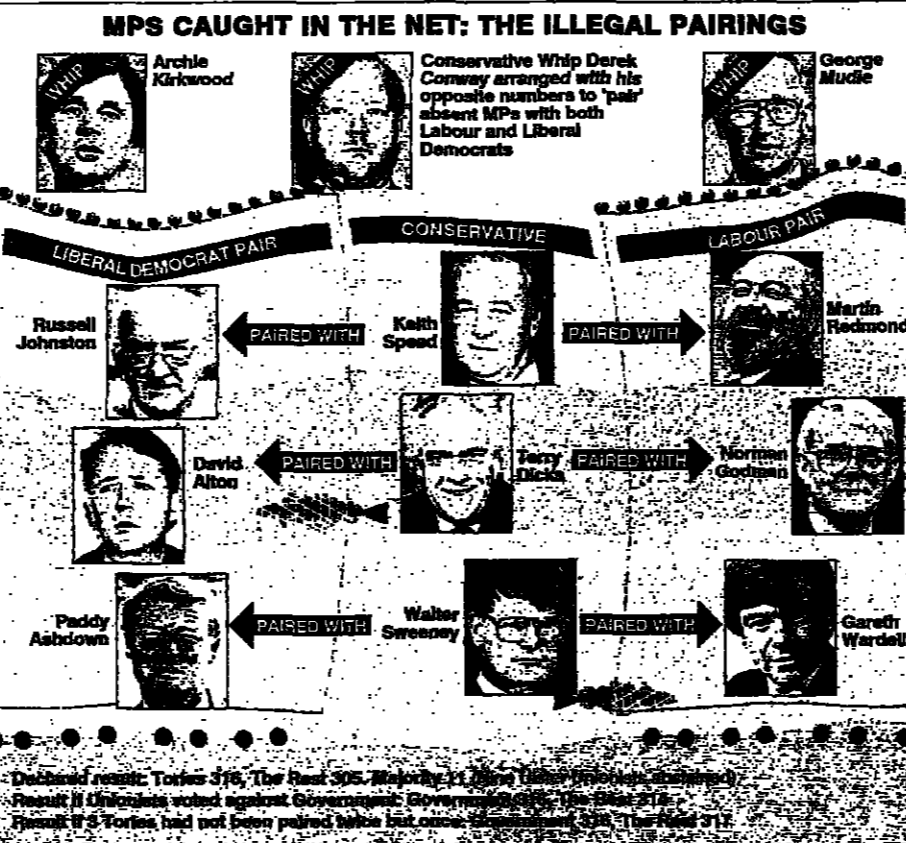
Professor Caddy began his inquiry after traces of RDX were discovered in a piece of machinery at the laboratory in March. His 43-page report, which reviewed all the scientific data in 124 cases between 1988-1996 in which RDX was found, criticised quality assurance tests and other omissions. His own tests found that the explosive traces could have had no "observable effect" on the relevant samples. But he found that the centrifuge had not been the object of a test

since its installation. It was a "scientific oversight which is unacceptable and is to be much criticised".

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## War on 'cheating' Tories

Continued from page 1

Democrat whips did not talk to each other, that was their problem. "Opposition liaison is nothing to do with us," one said.

Mr Conway declined to comment. But Mr Dewar and Mr Kirkwood said in a joint statement: "We find it impossible to believe that the double pairing could be accidental given the care with which the whip was enforced on both

sides. The pairing system is built on trust. If trust is destroyed, the system is unworkable. To offer the same pairs to Labour and Liberal Democrats in a key vote is conduct that cannot be overlooked or excused. It smacks of deceit and dishonesty."

They told Alastair Goodlad, the Government Chief Whip, that pairing arrangements were being suspended indefinitely. While some Conserva-

tive MPs tried to dismiss the episode as part of the normal machinations between the whips' offices, others were horrified.

A senior backbencher said: "We must grovel and get this over with quickly."

But Labour MPs were delighted that they had been given a perfect excuse to bring pairing to a close in the run-up to the election and to harass the Government at all times.

## EU welcomes cull of 100,000 more cattle

European Union farm ministers yesterday cautiously welcomed Britain's decision to slaughter 100,000 more cattle, but said it could still be a long time before a ban on British beef exports was lifted.

Douglas Hogg, the Agriculture Minister, told his European counterparts that Britain would go ahead with a selective cattle cull. At an EU farm ministers meeting in Brussels, he said that there was little scientific evidence against a selective cull. He added that Britain would consider extending the cull to cover cattle affected by maternal transmission if this was scientifically justified.

Franz Fischler, the EU Commissioner for Agriculture, welcomed Mr Hogg's statement but expressed frustration with the delay. He told Mr Hogg: "It might have been better in terms of consumer confidence if this decision had been taken earlier."

## Tories seek caning vote

Conservative ministers last night fought off backbench moves to reintroduce corporal punishment in state schools but were told that they will face another challenge early in the new year. Tory MPs backed away from an early vote on caning in schools during passage of the Education Bill but made it clear that they will press for a full vote in the Commons in spite of John Major's opposition to corporal punishment.

## Outbreak's 13th victim

An elderly woman became the thirteenth victim of the E-coli 0157 food poisoning outbreak yesterday. She was the third victim at Bankview Nursing Home, Banknock, in the Forth Valley area. Yesterday 234 people across Scotland were said to be infected with the bacteria after tests confirmed a further 11 cases in Lanarkshire. Numbers showing symptoms of food poisoning rose by one to 405.

## Store blackmailer jailed

A blackmailer who threatened to contaminate Sainsbury stores with syringes filled with HIV-contaminated blood was jailed for four years at the Old Bailey. Barry Dixon, 47, of Basildon, Essex, admitted demanding £100,000 from the supermarket chain. He told the company to leave the money beside the A17 near Basildon, but was caught after a police surveillance operation.

## Jobs clear of stalking

Michael Howard has made clear that the legitimate activities of journalists, salesmen, political canvassers, debt collectors and private investigators would not be threatened by the Government's Bill to combat stalking. He said the Protection from Harassment Bill, which is due to complete its Commons stages today, would provide a defence of "acting reasonably".

## Advertising squad

Company logos of commercial sponsors could appear on police uniforms and squad cars in the City of London under plans to raise extra cash. The force hopes that sponsorship deals could provide an extra £600,000 per year, but a spokesman said any sponsor's logo would be discreetly placed. The police are setting up guidelines and making a list of possible firms to be approached.

## Inquest adjourned

An inquest into the death of a motorist stabbed in a "road rage" incident was opened and adjourned today. The five-minute hearing was told that police found 25-year-old Lee Harvey, an unemployed bus driver, with horrific stab wounds on a country lane in Hereford and Worcester on December 1. No members of Mr Harvey's family attended the inquest at Stourbridge in the West Midlands.

## Grant for gays attacked

A lottery grant of £75,000 which will help homosexual prostitutes and gay men to claim social security benefits was criticised by community groups yesterday. The money will be paid over the next three years to provide an extra outreach worker in Yorkshire for the national charity MESMAC — Men Who Enjoy Sex With Men Action In The Community — which gives welfare and health advice.

## Christmas lights alert

Thousands of sets of Christmas tree lights from Taiwan have been fitted with inferior power plugs. Trading standards officers in Cheshire said the plugs, copies of a brand called PMS (model number 9248), can fall apart when used. Officers are satisfied the plugs were not fitted by the importers. Four Seasons, of Knutsford, which has advised customers to return the lights to shops for a refund.

## Ruby Murray dies

Ruby Murray, left, the 1950s singing star, has died at the age of 61. Known as the "heartbeat" girl, she set a chart record by having five records in the Top 20 simultaneously, a feat equalled since only by Elvis Presley and Madonna. Her best remembered hits were some of her earliest, *Heartbeat* and *Softly Softly*, her theme tune. She continued to perform until last year. *Obituary*, page 19



## Hello, sailors!

A hospitality scheme intended to offer warmth and comfort to 210 homesick American sailors aboard the USS *Aubrey Fitch* moored at Plymouth has attracted offers of help from adventurous single women as well as families. The scheme, called *Dial-A-Sailor*, has received 300 calls in three days. Most offer Christmas dinner, but others are from women wanting to meet a sailor of a particular age group.

## Mr Jonathan Aitken MP: an apology

THE TIMES apologised in the High Court yesterday to Jonathan Aitken MP, a former Chief Secretary to the Treasury, over an article published on November 14.

The article reported the previous day's decision of the Court of Appeal on the subject of the citizenship of Mohamed Al Fayed and his brother. Mr Justin Rushbrooke, for Mr Aitken, said: "In the course of that report it was stated that the Al Fayed were

the source of the current 'sleaze' allegations and were involved in 'cash for questions' accusations surrounding former ministers. The newspaper, unfortunately, quite erroneously included Mr Aitken's name as among those of the former ministers.

"This serious and damaging accusation is, of course, wholly untrue. Mr Aitken has never been paid by Mr Al Fayed nor by anybody else to ask questions in Parliament. I should also

add that this allegation has never been made by Mr Mohamed Al Fayed himself.

"Times Newspapers have promptly recognised their error and have agreed to apologise for this untrue statement, to pay Mr Aitken an appropriate sum of damages and to pay all his legal costs."

Miss Patricia Burge, for *The Times*, said that the reference to Mr Aitken in the article was an unfortunate error and unreservedly apologised to him.



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Cards

# Life sentence for loveless loner who murdered girl



Claire Hood: was stalked as she played truant

By DANIEL MCGORRY

A BROODING college misfit who raped and murdered a schoolgirl after stalking her for months was inadvertently exposed by his mother.

Neil Owen was jailed for life yesterday after being convicted of the brutal attack on Claire Hood. The 20-year-old loner, who had never had a girlfriend, strangled the teenager in woods near their homes after carefully planning how to ambush her when she next played truant.

After the five-week trial at Cardiff Crown Court, it was disclosed that Owen had been accidentally trapped by his mother when police called during one of the biggest genetic fingerprinting operations.

The detectives had come to conduct a DNA test on Owen's younger brother. But Maureen Owen stopped the police as they were about to leave and volunteered: "Why not test my other two sons as well?"

The court was told that Owen retained his composure, knowing that the saliva sample could incriminate him. When, a year and nine days after the murder, police returned to his home in St Mellons, he said: "I've been waiting for you to come."

He had rehearsed an elaborate fiction about a secret three-month affair with the girl. When questioned he said that they had had sex in Cath Coble woods when she skipped lessons at Ramsey High School, and that Claire was alive

when he left her that afternoon in January 1995.

The prosecution described him as "a desperate and devious young man" who tried to lie his way to freedom, caring nothing for the girl or her reputation. One detective said last night: "He was a ticking timebomb who turned to sexual fantasies and then murder when he could not get a girlfriend."

Pam Bennett, 35, mother of the dead girl, who saw the jury deliver its unanimous verdict yesterday, said: "I am quite happy with the sentence, but I won't be happy until Owen is dead and in his grave."

Mrs Bennett, who has another daughter, Sarah, aged 14, would never forgive Owen for the "absurd lie" he had told about Claire. The court was told that Owen

had boasted about the killing to his brother David as they watched a television reconstruction of the girl's last moments, but later claimed that he had been joking. After testing more than 2,100 youths and men, however, detectives found that there was a one in 160 million chance of the killer being anyone other than Owen.

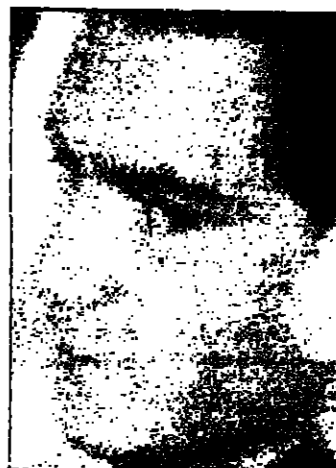
He became obsessed by Claire when he walked past her house each morning on his way to college to resit the GCSE exams he had failed. He would regularly spy on her bedroom window at night.

Owen, who was hooked on computer war games and kept a hoard of pornography in his bedroom, chose to carry out his attack beneath the twisted branches of a dead tree, known locally by court-

ing couples as "the love log". He stalked Claire as she went to buy cigarettes instead of going to school, and followed her to the woods which he had learnt were her regular hiding place when playing truant.

The girl fainted as he grabbed her, but came round as Owen was raping her so he strangled her and waited until evening to roll her semi-naked body into a stream. When detectives found the body, there was a crumpled page of homework in her pocket on a poem about murder, called *The Suspect*.

Owen's mother sat alone in court yesterday as her son was sentenced by Mr Justice Buckley. Last night Roy Morgan, Owen's solicitor, said that there would be an appeal against conviction.



Owen: told court that he had an affair with girl

## Murder case judge condemns 'paper lust' bureaucracy

By ADRIAN LEE

A SENIOR judge yesterday attacked the "paper lust" of legal bureaucrats as he sentenced a youth for murder.

Mr Justice Rousley said he was appalled that the teenager, Darren Lawrence, had not been sent to court previously. The 17-year-old was found guilty at Truro Crown Court of murdering Douglas Holman, a retired nurse, of Camborne, Cornwall.

The judge said: "I am informed that if a young person of Darren Lawrence's age is to be prosecuted for an act of violence then no fewer than 46 — yes, 46 — different forms have to be filled in to fulfil the paper lust of the bureaucratic element in our criminal justice system. This is grotesque."

Ordering the teenager to be detained at Her Majesty's Prison, he called for change. "It is to be hoped those who exercise authority will agree with me that the safety of the public and the maintenance of law and order are more important than the proliferation of desk jobs and the consequent paperwork and will take appropriate action and swiftly."

He said some blarney must lie with the prosecuting authorities but "it is not difficult

to see how it was that, with their limited resources, other prosecutions were more important". The medical and psychiatric reports in the trial amounted to 850 pages.

During the seven-day trial the court was told how Lawrence had been in trouble with the authorities since the age of five. While living in a family centre in 1995 Lawrence had been involved in 28 incidents of violence or threatened violence and had been cautioned seven times by police.

The judge expressed astonishment that charges had not been brought earlier. His psychopathic disorder might then have been spotted. It was not discovered until he was on remand at Rampton.

The judge asked Detective Inspector Howard Stevens of Devon and Cornwall police: "How many times are the youth of Cornwall allowed to assault other people before being brought to court?"

Mr Holman was killed at his home with a screwdriver while members of his family sat in a neighbouring room, the court was told. A 15-year-old was cleared by the jury which rejected Lawrence's plea of manslaughter.

Detective Superintendent

David Haverly, of the Trials Issues Group, which is responsible for formulating prosecution documents, said: "It is unhelpful to suggest it is bureaucracy for the sake of it."

He said the number of forms involved could approach 40 if non-prosecution documents, such as fingerprint and property records, were included.

A Crown Prosecution Service spokeswoman said a simple case could involve as few as five prosecution forms. A juvenile case would add another two forms. "There are no unnecessary forms," she said. "We are always working to improve the system." Other prosecution sources said privately that they were astonished by the judge's remarks.

Mr Justice Rousley, 64, has spoken out in the past. He once admitted sentencing a rapist to one year was a gamble and, two years ago, he ordered a man to pay £4,000 to the burglar he shot.

He was the judge who sat in the case of Jonathan Jones, the man convicted of killing his fiancée's parents, Harry and Megan Toozie, in South Wales. The judge later said he was surprised by the jury's decision and Mr Jones was subsequently freed.



Schectman: claims *Say You'll Be There* is similar to her composition *Come To Me*

## Spice Girls deny copying Israeli soldier's song

By DAMIAN WHITWORTH

THE Spice Girls, the all-female pop group and part self-confessed Thatcherites, were at the centre of fresh publicity last night after an Israeli soldier said one of their songs was curiously similar to one she had written. Idit Schectman said she had consulted lawyers over similarities between her song, *Come To Me*, written two years ago, and *Say You'll Be There*, the Spice Girls' current hit.

The 19-year-old lyricist and composer said she was pursuing her claim through the Israeli copyright authorities and might sue. However, Gerrard Tyrrell, the band's solicitor, said none of the five Spice Girls had ever heard of the Israeli song. "The first the Spice Girls knew of this matter was earlier today when they turned on their radios. Little information is available concerning the other song — which we understand contains lyrics written in Hebrew, a language not spoken by any of the Spice Girls — but what is quite clear is that the Spice Girls have never heard of either the artist or the song."

He added that no details of any claim had been received and no legal proceedings had been issued.

Ms Schectman said: "It hurt very much. Although I

was flattered, my song wasn't so famous and their song is. There are a few things that are exactly the same." She claims the tune and the translation of the Hebrew lyrics are similar. But Eddie Lawrence, a *Select* journalist, said: "It is noticeably similar, but not the same. The same could be said about any number of pop songs."

Ms Schectman hopes to



Tories: the Spice Girls

resume her singing career once she completes her two years' national service in February. Meanwhile the Spice Girls' latest record, *2 Become 1*, released yesterday, seems set to go straight to Christmas number one in the charts this weekend.

William Hill has closed its books on *2 Become 1* being number one at Christmas. Earlier some gamblers betted £500 at 16/1.

## Judge jails gang in cashcard plot

By STEWART TENDLER

LEADING figures in a plot to steal up to £800 million with counterfeit cashcards were jailed for five years yesterday.

One of them, John "Little Legs" Lloyd, had fled Britain after suspected of being involved in the £26 million Brink's-Mat bullion robbery in 1983 but returned in 1994. The Crown Prosecution Service decided not to prosecute Lloyd over the bullion raid. Last year police arrested him as one of the leaders of the cashcard plot.

The conspiracy was linked to Kenneth Noye, who went abroad after becoming a suspect in the M25 "road rage" murder of Stephen Cameron. Noye was never questioned about the cashcard plot and detectives now say they believe he was only peripheral to the gang.

Yesterday Lloyd and six other men were sentenced at Southwark Crown Court, southeast London, after pleading guilty to conspiracy to steal. Judge Rivlin, QC, said the plan was "as ambitious a criminal agreement to steal as one can imagine. If successful, this conspiracy would have given you vast sums of money."

He told Lloyd, from West Kingsdown, Kent, that he

considered him one of the principal plotters. Paul Kidd, 36, from Meopham, Kent, and Graham Moore, 32, of Erith, Kent, were also each sentenced to five years as senior figures in the gang.

Lloyd's son-in-law, Stephen Seton, 42, of Chislehurst, southeast London, was given four years; Moore's brother, Stephen, 41, of Leytonstone, east London, received three years; and John Maguire, 36, of Motingham, southeast London, was given two years. William Haward, 55, from Yalding, Kent, was given a two years' suspended sentence and fined £30,000 with £10,000 costs.



Lloyd: fled abroad after Brink's-Mat robbery

## Car-death suspect is killed in crash

By KATHRYN KNIGHT

A YOUNG man wanted by police in connection with the hit-and-run death of the medical student Caroline Elliot died in a crash while driving another stolen car, police revealed yesterday.

Lee Davis, from Stockbridge, Merseyside, was in a high-speed car chase with police when the stolen vehicle he was driving crashed into a tree in Shrewsbury, Shropshire.

Five days earlier, Miss Elliot had been killed by a stolen Vauxhall Astra while jogging in Sefton Park, Liverpool. Police confirmed that they are not looking for anyone else in connection with the incident.

Ms Elliot, a student at Liverpool university, died from head injuries. Her flatmate, Sarah Edenbrow, who was jogging with her, was seriously injured but was able to attend her friend's funeral on Monday.

Yesterday police said they withheld details of Mr Davies' accident to allow officers investigating the tragedy to personally inform the families of both girls.

Police had been chasing Mr Davies, for several minutes early in the morning of November 19, after reports of a

suspected stolen car being driven erratically.

Officers were about 250 yards behind him when he swerved off the main road and hit a tree. A Police Complaints Authority investigation into the incident has been launched as a matter of routine.

A 17-year-old youth from Tonxeth has been charged with allowing himself to be carried in a stolen vehicle, and bailed to appear before Liverpool magistrates on January 20. In a statement issued yesterday, Miss Elliot's parents Mike and Ann said that had not wanted revenge, and regretted that another young life had been lost.

"We are pleased that all the hard work the police have put into the inquiry surrounding Caroline's death has now paid off," they said. "We will continue to give the police any assistance which they may now require."

"It has never been our desire to seek revenge on those responsible for the tragedy, but to seek justice and to prevent the same thing happening to someone else."

"If, as seems likely, one of those responsible is now dead, we regret that another young life has been wasted."

## New York court gives estranged couple's child a transatlantic future

By PAUL WILKINSON

A CHILD will grow up commuting across the Atlantic between his estranged parents after an unusual ruling by a New York court.

Joseph Fowler, aged 16 months, who has dual nationality, will spend eight months of the year in this country with his British mother and four months in the United States with his American father as a result of the decision last week. The judgment, yet to be ratified by an English court, has been questioned by British experts in family law who say it would put tremendous strain on the child and his family.

Jane and William Fowler had lived in America since their marriage in 1990,

and Joseph was born there. Mrs Fowler returned to Yorkshire with him three months ago after their marriage broke down. Last month there was a country-wide alert when Mr Fowler took Joseph from Mrs Fowler's home in Harley, south Yorkshire. In spite of a watch on ports and airports, Mr Fowler, an unemployed electronics technician, was able to fly with his son to New York.

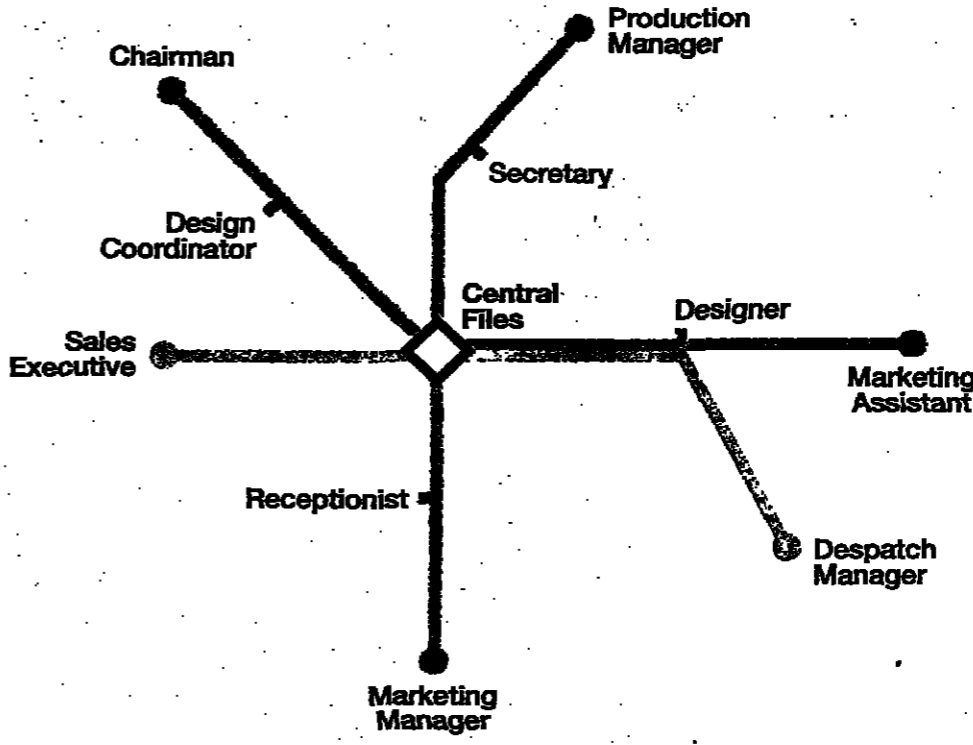
Mrs Fowler, 27, a nursery school teacher, began a court battle for custody. She attended the New York hearing and returned with Joseph at the weekend.

"She said yesterday that she expected the ruling to be confirmed by an English court shortly. There is no ideal compromise. It is what has been agreed by both parties and is legally binding. I don't

think it's the best thing for my son to be ferried to and fro across the Atlantic. I do think the arrangement is bound to affect Joseph's upbringing. I am going to have to seek advice on how it will affect him mentally," she said.

"It will be very expensive in air fares as well. We will have to cross that bridge when we come to it. I am working and my husband is hopeful of finding a job so we should be able to afford it. When he gets to school age it will be arranged so he can go to school over here, but see his father in the summer holidays."

In New York, Mr Fowler said: "The whole thing is a nightmare. I feel I was left with no choice but to accept the decision. I just hope everything works out for Joseph when he is over in Britain."



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# Saunders ruling may prompt change in law

## 'Draconian' powers under threat after Euro-court's condemnation

By FRANCES GIBB  
LEGAL CORRESPONDENT

GOVERNMENT officials are expected to re-draft legislation that gives Department of Trade inspectors far-reaching powers to compel suspects to answer questions then use the material in the prosecution against them.

Condemning the way the evidence is used in trials, the European Court of Human Rights said: "The public interest in combating fraud could not be invoked to justify the use of answers compulsorily obtained in a non-judicial investigation."

The Department of Trade and Industry (DTI) said it would examine the ruling to see "what implications there are for UK company regulators and criminal prosecutions". But officials have identified at least 200 pending fraud and insider dealing cases which could be affected by the ruling because the only evidence is "tainted" in that it was obtained by inspectors under compulsion.

The case comes exactly ten years after the Guinness fraud investigation began and rested on questioning by DTI officials that began on February 10, 1987, when Ernest Saunders, then chief executive of Guinness, was summoned to the City accountants Peat Marwick McLintock.

Flanked by his lawyers, he faced compulsory interrogation across a table by David Donaldson, QC, and Ian Watt, a chartered accountant — both DTI — in what was the first of nine interrogations that would eventually lead to his trial and imprisonment.

The inspectors were investigating allegations that Guinness indulged in a share support operation during its takeover battle for Distillers in 1986. Mr Saunders had to comply. Failure to do so, under what his counsel, Michael Beloff, QC, called "draconian" powers granted to the DTI inspectors under the Companies Act 1967, could lead to a fine or imprisonment for up to two years.

George Devlin, Mr Saunders's human rights consultant, said yesterday: "It's

### SAUNDERS SAGA

Dec 1986: DTI inspectors carry out dawn raid on offices of Guinness and Distillers  
Jan 1987: DTI refer Guinness affair to DPP  
Feb 1987: Saunders interrogated for first time  
May 1987: Saunders is arrested  
April 1988: SFO takes over the investigation  
Nov 1988 & Jan 1990: Preliminary hearings at which Saunders fails to have transcripts of interviews excluded as evidence  
Aug 1990: Saunders convicted by Southwark Crown Court and jailed for five years  
May 1991: Court of Appeal cuts five-year sentence to two and a half years  
June 1991: Saunders released from prison diagnosed as suffering from pre-senile dementia  
July 1991: House of Lords refuses Saunders leave to appeal to House of Lords  
Dec 1994: Home Secretary refers case back to Court of Appeal after application by co-defendants (Rimmon, Parnes and Lyons) argues that prosecution failed to disclose certain documents  
Nov 1995: Court of Appeal rejects appeal for second time  
Dec 1995: Court of Appeal refuses leave to appeal on point of law to House of Lords

real Star Chamber stuff. Sometimes these interrogations go on in windowless rooms — and if you don't go along with it, you could be jailed. The whole situation is extremely intimidatory."

The interrogations had been on the cards since December 1, 1986, when DTI inspectors carried out a "dawn raid" on the offices of Guinness and Distillers and of seven other advisers in London and Edinburgh.

The transcripts and documents obtained as a result of the interviews with Mr Saunders were passed to the Crown Prosecution Service, which passed them to police. In May that year, the police began their own investigation and on May 6 Mr Saunders was arrested and charged with three offences, later in-

creased to 15, of false accounting, theft, and conspiracy.

Yesterday those interrogations, and obtaining of material that led to Mr Saunders's conviction and imprisonment, prompted a damning indictment of the Government by the European Court. The authorities, the court ruled, had breached Mr Saunders's right to a fair trial.

As Michael Beloff, QC, put it, Mr Saunders was a man stripped of his human rights and forced to incriminate himself in breach of the protection afforded to all other defendants — even those accused of murder, rape, robbery, drug dealing or terrorist offences.

The ruling appears to knock a massive hole in the armoury of prosecuting authorities to combat serious fraud, and to re-assert the centuries-old defendant's right to silence. The right dates from the trial of John Lilburn in 1637, when he refused to take an oath binding him to answer all questions put to him by the Star Chamber. It rests on the principle that the burden of proof is on the prosecution and that defendants are under no obligation to help them to prove their case.

The right has been called "the golden thread that runs through the web of English criminal law". But it has been eroded. Since 1856, a case established that the prosecution could use answers obtained from bankrupts, under threat of imprisonment, as evidence for a prosecution. But the Judges' Rules, drawn up between 1912 and 1918, stipulated that a person "cautioned" need not answer.

The first English statute expressly to provide for answers to be obtained by DTI inspectors under compulsion was the Companies Act 1967, followed by the Companies Act 1985.

Yesterday, the European Court noted that part of a transcript of Mr Saunders's answers had been read to the jury despite his objections. "Accordingly, there had been an infringement of the applicant's right not to incriminate himself."

Leading article, page 17



Road to recovery: Saunders with his sons and daughter in hospital after his early release from prison in 1991

## The 'bewildered old man' whose business brain earns £800 a day

By CAROL MIDDLETON

ERNEST SAUNDERS will forever be remembered as the man who made a miraculous recovery from apparent pre-senile dementia.

Five years ago he was described by doctors as a bewildered old man unable to finish a sentence, name the President of America or count

backwards from three. Now he charges £800 a day advising clients such as the publishing company Richbell Strategic Holdings and Carphone Warehouse.

The man whose name was once a by-word for fraud (his criminal record is stamped on his passport) and whose brain was said in the Court of Appeal to be shrinking, is now back with the great and good.

He is welcomed at the grandest of functions and companies pay handsomely for his sharp business brain and his "shrewd and enthusiastic" advice.

His salary from his various consultancies is reckoned to be about £150,000. He receives a £75,000 Guinness pension and makes an income from speeches and lectures. He has two homes — a £250,000 house in Putney,

south London, and a £350,000 17th century house in Sidlesham, near Chichester, where he joins his wife, Carole, at weekends.

Their former house, a mansion in Penn, Buckinghamshire, had to be sold for £600,000 during the trial as did their Swiss apartment. About that time Mrs Saunders had a nervous breakdown. It was the love of their children James, 31, who wrote a book, *Nightmare*, about his father's experience.

Joanna, 28, and John, 23, which helped her through it and she is now recovered.

Mr Saunders was sent to Ford open prison but his sentence was halved on appeal and he served only 10 months in an open prison after a doctor diagnosed that he was suffering from pre-senile dementia.

Patrick Galloway, a forensic

psychiatrist at Exeter Nuffield Hospital, who expressed concern over Mr Saunders's inability to use a door properly in 1991, was unavailable for comment yesterday. Earlier this week, however, he said that three other doctors apart from him had had similar concerns. "We never made a diagnosis but all the doctors agreed there was some suspicion of senile dementia," he said. "Happily this turned out not to be the case."

In a recent interview, Mr Saunders angrily rejected suggestions that he had feigned illness. "The idea that I could persuade members of the medical profession that I had this condition is disgraceful. I resent it enormously," he said. "When I go to America and Europe I get a pat on the back for having come back from the dead. I get the opposite here in Britain."

## Lawyers consider claim for redress

By FRANCES GIBB

ERNEST SAUNDERS hinted at fresh legal actions yesterday, including the possibility of a compensation claim against the Government.

He ran up a legal aid bill of £1.28 million in defence costs for the criminal trial that was held to be unfair yesterday. But he funded the six-year battle to Strasbourg himself, with the help of friends.

He has earned an estimated £125,000 a year from consultancy work since being released from prison and has had a pension from Guinness since being dismissed in 1987. Yesterday the court rejected his claims totalling more than £4.6 million for lost income and expenses and also cut his plea for almost £340,000 in court costs and expenses to £75,000. Any compensation claim against the Government would depend on whether the Home Secretary referred his conviction back to the Court of Appeal and whether it was quashed. Without that, he is still a convicted criminal.

Yesterday all the signs were that that was extremely unlikely. Government officials pointed to the European judges' comment that the outcome of this trial might not have been any different, even if the DTI evidence had not been used. The Serious Fraud Office said it would resist all attempts to have the conviction quashed or compensation awarded.

Mr Saunders indicated that legal action for compensation was one option. "My advisers and I will now be considering all the options open to us legally and otherwise."



Devlin: pleased

## Private eye who spotted unfairness

GEORGE DEVLIN, the multimillionaire and self-styled "human rights consultant" to Ernest Saunders, had reason to look pleased with himself yesterday.

For six years he has worked more or less full-time preparing the case first for the European Commission on Human Rights and then for the European court. "I was the one," he said proudly, "who first identified that the use of this evidence in Mr Saunders's trial was unfair."

Mr Devlin, 55, a tax exile with homes in Switzerland, France and London, started as a litigation and common law solicitor's clerk in a City law firm. He then turned private eye, spending 20 years specialising in investigations for solicitors and counsel in complex fraud. He was a principal in the company, Devlin & Co, now run by his son.

After a spell in the property business he took early retirement in 1992. He began working for Mr Saunders after the abortive second Guinness trial and says he still expects to be fully occupied on the case. "This is going to go on and on and on."

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Coronation Street hit by strong bidding from Roadshow

## Aunty's antiques knock down ITV's old soap

BY ALEXANDRA FREAN, MEDIA CORRESPONDENT

AN ATTEMPT by ITV to boost the flagging ratings of *Coronation Street* by launching a fourth weekly episode is failing in the face of unforeseen opposition from BBC's *Antiques Roadshow*.

Audiences for the soap opera's Sunday evening slot have fallen from 15.7 million since its launch on November 24 to 13.5 million, compared to a steady 10 million for *Antiques Roadshow*.

Michael Jackson, controller of BBC1, said: "*Antiques Roadshow* is probably the most successful programme we have had against *Coronation Street* since *Stepie and Son* in the 1960s."

Mr Jackson said that the fourth *Coronation Street* episode was not natural weekend viewing. "I am not convinced that every *Coronation Street* viewer wants to see it on a Sunday," he said. It was a time for families to sit down together, but the programme appeared mainly to a female

audience, he added. Mr Jackson's comments come at a difficult time for *Coronation Street*, which has recently lost its position as the nation's most popular programme to BBC's *EastEnders*.

A spokesman for Granada, makers of *Coronation Street*, said that its core audience consisted of middle-aged people — exactly that targeted by *Antiques Roadshow*. "*Antiques Roadshow* starts 15 minutes earlier than *Coronation Street* on a Sunday so people are already hooked by that by the time we start."

Mr Jackson was speaking at the launch of the BBC's winter schedule, which includes a £5.5 million production of *Ivanhoe*. Sir Walter Scott's novel set among the knights of the Crusades in medieval England. It stars Christopher Lee, Steven Waddington and Claran Hinds. *Ivanhoe* was a hit in the 1960s for ITV, when it starred Roger Moore.

The BBC will also be re-

running the 1960s sitcom, *Till Death Us Do Part*, featuring the foul-mouthed bigot Alf Garnett, played by Warren Mitchell. In his heyday, the outspoken Alf Garnett caused outrage by referring to black people as "coons" and to his son-in-law, Mike — played by Tony Booth, father of Cherie Booth, now the wife of Tony Blair, the Labour leader — as "a randy Scouse girl".

Mark Thompson, Controller of BBC2, said that it was unlikely to censor the programme, which formerly attracted audiences of up to 25 million, because viewers would understand that it exposed the bigotry behind Alf Garnett's views without endorsing them.

"It is indisputably one of the greatest comedies that the BBC has ever produced and the overwhelming majority of viewers will be happy to see it back again," he said.

Another period piece, Joseph Conrad's *Nostramo*, will

be adapted for television for the first time, starring Colin Firth, Albert Finney and Claudia Cardinale, on BBC2. Modern drama in the BBC schedule includes a new prison serial, *Insiders*, written by Lucy Gannon, the creator of *Peak Practice*, *Soldier Soldier* and *Bramwell* for ITV.

Michael French, who until recently played David Wicks in *EastEnders*, has a new role as a time-travelling detective in *The Crime Traveller*, and Sinead Cusack and Miles Anderson star in a modern marriage series, *Have Your Cake*.

Factual programmes on BBC1 include *Children's Hospital*, a look inside the casualty unit at the Alder Hey Hospital in Liverpool. *EastEnders* star Wendy Richard presents *The Big C*, a programme about cancer, a year after diagnosis of her own breast cancer.

Television listings, page 43



Steven Waddington stars in *Ivanhoe*, an adaptation of Sir Walter Scott's novel of medieval England, which is one of the highlights of the BBC's winter schedule

## Daughter to boycott premiere of film

BY DALYA ALBERGE

THE sister of an Australian pianist whose life story is the subject of an award-winning film has refused to attend tomorrow's European premiere in London because she feels the movie is an insult to the memory of their father.

Margaret Helfgott has expressed outrage over "myths and inaccuracies" in a film about her brother David that portrays her father Peter, a survivor of the Holocaust, as a dictator and smothering them with love. She complained to Australian newspapers about "imaginary scenarios" in the film. Beatings, it suggests, drove the son to a nervous breakdown. She is also said to object to an actor with a German accent being cast as her father.

*Shine*, tipped for an Oscar and featuring Sir John Gielgud, opens in Britain next month. The director, Scott Hicks, insisted that his research, which included talking to David Helfgott, had been meticulous.

## Dracula and Co repay stake in gothic horror

BY ALAN HAMILTON

IN THESE days of *The X-Files* the Victorian Gothic ghost story may no longer have the power to terrify, but it still commands the power of money. A collection of 2,000 tales of mystery and imagination, many by the most obscure of authors, were sold at Sotheby's yesterday for £233,000, more than twice the auctioneer's estimate.

The top price of £7,820 was paid for a pristine 1851 first edition of *Ghost Stories and Tales of Mystery* by J. Sheridan Le Fanu, not an author whose name is much bandied about Hampstead dinner party tables these days. By comparison, a first edition of Bram Stoker's much better known *Dracula* went for £3,910, while a particularly rare first edition of Sir Arthur Conan Doyle's *Mysteries and Adventures* published in 1899 made a disappointing £1,650.

Sotheby's book experts said last night that the collection was the finest of its kind to come to market within memory. There were no regrets, however, for the seller, Andrew Stevens, a Devon solicitor who assembled a huge library of ghost and mystery stories over 35 years and who, despite the disposal of his

2,000 best volumes yesterday, still has 4,000 left. He picked them up for a song at charity shops and street markets over 35 years.

One of his best buys was an 1886 first edition of Robert Louis Stevenson's *The Strange Case of Dr Jekyll and Mr Hyde*, in its original paper cover, which he bought for one shilling (5p) from a bookshop in Wales. It went for £980.

"I am approaching retirement and I always saw my collection as a kind of pension," Mr Stevens said last night. "Besides, being custodian of so many books is a bit of a lie." He confessed himself staggered at the prices, especially as he had bought the top lot, the £7,820 Le Fanu, at auction less than 20 years ago for a couple of hundred pounds.

"I read a great deal as a boy and I began to collect the sort of books I liked reading. To the average reader, many of them will be extremely obscure but they are well known to enthusiasts of Gothic literature, of whom there are more than you might think," Mr Stevens said.

"I have never been on holiday without finding books to add to my collection," he said. "I should think I've bought books in every county in England and Wales — some from ordinary book-sellers but hundreds from market stalls and charity shops."

Peter Selley, Sotheby's English literature expert, said that the excellent condition of the books had boosted interest. He added: "The Gothic field attracts a great many collectors and prices are going up. There has been a whole re-evaluation of the Gothic novel in academic circles, partly because it often deals with the currently fashionable topics of gender, feminism and sexuality."



Dracula: the legend has lost none of its bite

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## Lincoln dean says he will resign if the money is right

By RUTH GLEDHILL, RELIGION CORRESPONDENT

THE Dean of Lincoln announced yesterday that he was willing to resign from the city's embattled cathedral. The Very Rev Brandon Jackson said that his lawyers were negotiating with the legal team at Lambeth Palace, the London home of the Archbishop of Canterbury.

Earlier this year, Dr George Carey asked Dr Jackson and Canon Rex Davis, the Sub-Dean, to resign. The Dean said that he would resign only if Canon Davis went too. He now says that he is prepared to relinquish his freehold position unilaterally and that negotiations between lawyers have been taking place for some time. Canon Davis said he saw no reason to go.

The two men were speaking after the Bishop of Lincoln, the Right Rev Robert Hardy, announced he would boycott Christmas services at the cathedral in protest at their failure to resolve the long-running dispute. Dr Jackson



Jackson said bishop was the real problem

said that his departure depended on Dr Carey fulfilling his promise to preserve his "dignity and honour" and to ensure that he was not financially disadvantaged. "If the Archbishop wishes on his promise, then I will be happy to stay until I'm 70," said Dr Jackson, who is 62.

The dispute has its origins in a loss-making exhibition of

the cathedral's Magna Carta in Australia in 1988, organised by Canon Davis. Dr Jackson was appointed the following year. He was cleared by a consistory court last year of sexual misconduct with a former cathedral verger.

Dr Jackson said: "I am not the centre of the dispute. The bishop is. And he has failed for over seven years now to exercise his authority properly." A spokesman for the bishop said Dr Brandon "is continually saying he's going but he will never tell us when. And his perpetual attack upon the bishop is something which upsets the whole diocese."

A married clergyman is to be examined at a church court over allegations that he had affairs with several parishioners. The Rev Clifford Williams, 48, a Church in Wales rector of Benlech, Anglesey, denies the claims, made in a Sunday newspaper.

Letters, page 17



Stacey Carter-Brooks, 10, had two missing fingers replaced by the second toe from each foot

## Transplanted toes help children to get a grip on life

By NIGEL HAWKES, SCIENCE EDITOR

TOES make an excellent substitute when transplanted on to the hands of children without fingers, a surgeon's study has found. Walking is not affected and they are able to grip and grasp.

The survey was conducted by Simon Kay, of St James's University Hospital, Leeds, who has carried out more than 100 of the toe transfers. Mr Kay lost a finger in a childhood accident and was inspired by the efforts of a surgeon to save it for him. That operation did not succeed and he was left with only three fingers on his left hand.

His study of the first 40 operations, involving the transfer of 66 toes, has shown complete success, with all the toes working well. The children were able to grip paper and Lego blocks and to twist jar lids on and off.

The psychological benefits were also enormous. Mr Kay discovered, with the children less self-conscious about their hand and more willing to play with friends and take part in school activities. Once

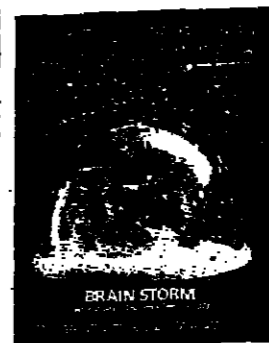
in place, the toe grows and, to the casual eye, looks remarkably like a normal finger.

The second toe from either or both feet is removed during the operation, which takes up to eight hours. It is suitable for children born without fingers and for those who have lost them in accidents. The muscles and tendons that control the fingers are usually complete in the arm and ready to be connected to the new digit. A microscope is used during ultra-fine stitching of nerves and blood vessels.

Stacey Carter-Brooks, 10, from York, was born with two fingers of one hand missing. Her mother, Denise Waddell, said: "We are very happy with the results of the operation."

"Before, Stacey always tended to hold one hand behind her back. She wouldn't play, she held back. Now nobody notices that two of her fingers are toes. The only problem is that she now has a very slim foot, so shoes tend to cost more."

SATURDAY  
IN THE TIMES



THE BIG TEASE

Joe Joseph's Quiz of the Year in the Magazine

UNDER WRAPS

What to wear over your party dress in Weekend

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## Psychological society

### Parents who row 'likely to produce high achievers'

By JEREMY LAURANCE, HEALTH CORRESPONDENT

FAMILIES that argue frequently — or are "expressive", as psychologists prefer to put it — are more likely to produce high achievers.

Research presented to the British Psychological Society's London conference yesterday showed that conflict within families, coupled with a strong sense of cohesion, produced offspring who are better prepared to deal with life's difficulties, regardless of the family structure in which they were raised.

Coming from a broken home was no bar to success in later life. The conventional ideal of the nuclear family was less important to child development than what went on between parents and children, whether there was one parent or two. Achieving cohesiveness within the family was helped by one parent being absent for part of childhood but was harmed if there were too many sons, the study found.

Tony Cassidy, a senior lecturer in psychology who carried out the research with colleagues at Nene College in Northampton, told the meeting: "We were looking at what makes children more resilient to stress. We found it is not related to the structure of the family — whether it's broken or not — but more to its cohesiveness."

Encouragement towards intellectual and cultural pursuits was one of the most important predictors of success in families. But this had to be coupled with freedom of expression and encouragement to debate and argue. Dr

Cassidy said: "More expressive families tend to produce children who are higher in mastery, that is, they see problems as challenges rather than as threats. Stress comes from seeing problems as threats rather than challenges. If expressiveness is not encouraged, the children will tend to be less resilient in the face of stress."

The researchers studied the family backgrounds of 169 young adults — selected from the Armed Forces, skilled non-manual workers and students — and assessed how well-motivated they were to achieve. They found that high achievers were more likely to come from families which had experienced conflict in the form of rows and disputes with parents or siblings.

If it provoked debate and a search for solutions, conflict could inspire children to respond positively to challenge.



"Sssh... I don't want the kids hearing us being nice to each other"

## Sweet solution to sticky problems

By JEREMY LAURANCE

WORKERS who chomp their way through chocolate bars and chewing gum to handle stress may have sniffed out two perfect calming foods to help them through their day.

A team of psychologists studying the effects of smells found that chocolate and spearmint had a powerful calming effect. Blindfolded volunteers were used to measure effects on their brain waves, associated with levels of attention.

Neil Martin of the University of Middlesex, who presented the findings to the British Psychological Society's conference yesterday, said: "Chocolate generated less theta waves than any other smell."

Spearmint had a similar effect, but synthetic strawberry boosted attention, probably because it bore only a distant resemblance to the real thing and demanded concentration to identify it. Hot coffee had little effect.

The experiment was partly funded by the food industry. Dr Martin, senior lecturer in neuropsychology, said: "Chocolate and spearmint are very sweet and may remind people of certain

things that are relaxing. Or something could be tapping into a sub-cortical emotional centre."

A study of three psychics who have assisted police forces has found that they were less accurate than a group of psychology students. Researchers at the University of Hertfordshire presented the psychics with details and objects from Essex murder cases and asked if they had any insights.

Three students had the same information. Richard Wiseman said: "The students were bright and devised quite accurate answers. The psychics made ambiguous statements which they tried to twist when they were presented with answers."

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# Popular schools 'should take space from neighbours'

By JOHN O'LEARY AND DAVID CHARTER

POPULAR schools should be allowed to open annexes in neighbouring schools which have empty places, the Audit Commission said yesterday in a report which sparked a row over the Government's claims to have expanded parental choice.

The commission said one in five parents failed to secure their first choice of school, while up to £100 million was being wasted on spare capacity. Popular schools were not expanding to meet demand because there were no incentives, but the use of neighbouring premises might help avoid "gridlock" in admissions.

Bob Chilton, Director of Local Government Studies at the commission, said: "Parents do not choose a school for its buildings: it is the learning experience they are after for their children. If other buildings could be found in the locality, it would be one way of promoting choice without incurring additional expenditure."

Research by the commission showed that class sizes were growing in popular schools because head teachers were required to take pupils up to a notional capacity, which was often larger than parents or teachers wanted.

At Coombe Hill Infants School, in Kingston upon Thames, for example, there were 210 pupils, compared with the official capacity of 168. The result was classes of



Squire: attacked report's 'simplistic conclusions'

35 throughout the school. At the same time, however, the number of surplus places was growing year by year, despite Government promises to purge them from the system. The commission estimated that 40 per cent of the 900,000 empty places could be removed if local authorities took a stronger line.

One school unable to capitalise on its popularity is Bordesley Green Girls' School in Birmingham. For seven years it has wanted to expand. The school can take 120 pupils a year but last year had 250 applicants, while a nearby mixed comprehensive school could fill only half its places. The empty desks at Park View School prevented Birmingham City Council from

winning government funding for new buildings at Bordesley Green.

Abdul Malik, the chairman of governors, said the situation was a "nightmare" for parents in the predominantly Muslim community around the school. More than 70 families appeal against rejection every year but only two or three are successful.

Mr Malik added: "As chair of governors, parents try to lobby, request and beg me to do something because their child wants to be in the school. It is heart-breaking."

The commission's report found fault with both central and local government. "Inaction is not an option. Unwanted and unnecessary school places lock up scarce resources which could be used elsewhere."

Labour described the report as a "devastating indictment" of government policy. David Blunkett, the Shadow Education and Employment Secretary, said his party's proposals for local education plans, covering all state schools, were in line with the commission's recommendations.

Robin Squire, the Schools Minister, said: "It is a pity that the commission has devalued this research with some simplistic conclusions on the supply of school places and standards." He added that local authorities had all the necessary powers to manage the supply of school places.



Maddened by pain and frustration, a bear milked for the bile from its gall bladder bites its bars on a Chinese farm

## Charity fights to free tortured bears from the milking farms of China

By DANIEL MCGRORY

THE rusted metal cage was so cramped, the bear could neither stand nor turn around. For hours, it would butt its head against the iron bars out of frustration and pain. Nearly starved and demented by confinement, the animal lay in its own filth, writhing in agony from the gaping septic wound on its back.

Thousands of bears are kept in conditions like these on farms in China and milked of the bile from the gall bladder, sold as a traditional cure. A steel catheter is jabbed into the bear's side and a plastic tube runs underneath the skin, protruding from the hole in its matted black fur. Every few days the bear is milked. The pain leaves the cramped animal moaning and clawing at its face. Often these animals are tethered by steel straps. After perhaps ten years of this treatment, they are left unable to walk.

Investigators working with Tusk Force's United States partner, the Global Survival Network, found that some of the cages had "crush" bars, designed to push the animals flat to the floor to make milking them easier. International protests have

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the animals are slaughtered each year for their gall bladders in just one region of Russia. Cubs are left to die.

Bear paw soup, an Asian dish that costs up to £700 a bowl, is held to possess invigorating properties. In some restaurants in Asia, bears are boiled alive, after being beaten with sticks, "to ensure a good flow of fear juices".

Few Asian countries have specialised agencies investigating the illegal trade in wildlife. A bear gall, resembling a dried fig, is easy to hide and can be worth several thousand pounds. Herbal and synthesised alternatives to bear bile are available but there is little awareness of that in Asia.

Tusk Force and Global Survival Network are trying to educate Asian consumers and seeking better protection for bears and tougher enforcement of wildlife laws.

The West has its own lessons to learn: in North America, 40,000 bears are killed lawfully each year but the same number again is taken by poachers. The North American black bear is the source of most of the trade in bear parts for trophies but grizzly and polar bears are killed too.

## Eight boys expelled over drugs

Eight boys have been expelled from a public school after admitting using drugs. Christopher Saunders, the headmaster of Lancing College, Sussex, said that a quantity of cannabis had been discovered. One pupil had been given money by the others to buy the drug and had made contact with a supplier.

Mr Saunders said: "These are the first expulsions for drugs in the school since 1981 and we shall continue to take an uncompromising stand."

### Officers bailed

Six army officers charged with rape were released on bail by Judge Paul Clark at Oxford Crown Court. The six, serving with the Royal Electrical and Mechanical Engineers, will appear before magistrates on January 8.

### Eviction halted

A High Court judge overturned Wolverhampton Borough Council's eviction under new powers of two families of travellers from waste ground. Lord Justice Phillips said it had not considered the humanitarian implications.

### Wheelchair crash

Police are seeking an elderly hit-and-run driver whose motorised wheelchair struck an 89-year-old woman on the seafront at Bridlington, East Yorkshire, leaving her with a badly gashed leg that needed 19 stitches.

### Service cancelled

Relatives of British victims of the Lockerbie air disaster have decided against holding a memorial service in London for the first time in eight years. A wish not to deflect attention from the Dunblane massacre was one reason.

### Mandelson gibe

Sixty Tory MPs have signed an early-day motion accusing Peter Mandelson, Labour's campaign strategist, of "incompetence in failing to rig" the BBC Today Personality of the Year poll in favour of Tony Blair.

### Last post

Today is the last posting date for second class items.

## Leah Betts jury discharged after failing to reach verdict

By MICHAEL HORSNELL

A JURY was discharged yesterday after failing to reach a verdict over a student accused of supplying Leah Betts with the Ecstasy tablet that killed her. A decision on whether to order a retrial will be made by the Crown Prosecution Service by the end of the week.

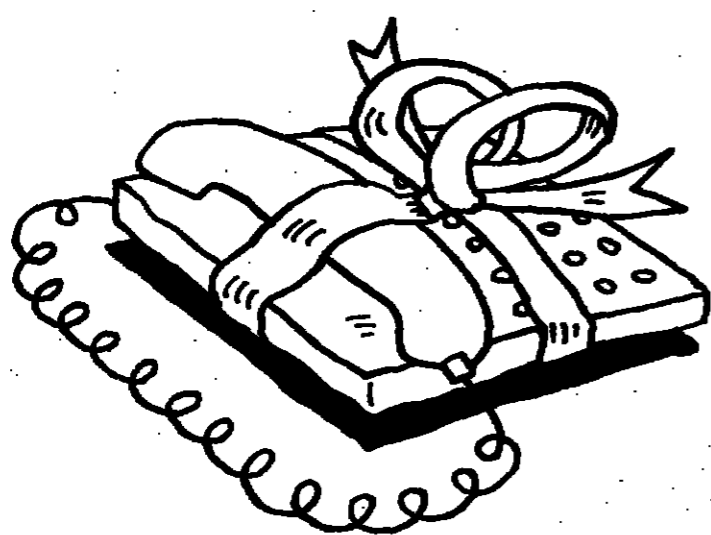
Steven Packman, 18, of Laindon, Essex, denied at

Norwich Crown Court any part in the supply of the class A drug to Miss Betts, who slipped into a coma at her eighteenth birthday party in November last year. His friend Stephen Smith, 19, from Basildon, Essex, has admitted being involved in the supply of the tablet and awaits sentence.

The jury, which began hearing evidence on December 10, failed to reach a verdict after

deliberations lasting nearly seven hours.

Paul Betts, Miss Betts's father and a former policeman, said: "My main feeling is frustration at the fact that the matter is not over and done with. We have got to go through it all again, provided the CPS decides to have a retrial. It's the closing of one chapter and the opening of another."



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# Moscow fury as Columbus dethrones Tsar Peter



Zurab Tsereteli's statue of Peter the Great which is being erected on the banks of the Moskva river

IT IS vast, hugely expensive and in honour of a man who actively disliked Moscow. Furthermore, the critics of the monumental statue of Peter the Great being raised on the banks of the Moskva river say it is actually a recycled Christopher Columbus.

Members of the Moscow artistic intelligentsia staged a protest meeting last Sunday against Zurab Tsereteli and his latest 165ft statue. The protesters said that as much as \$50 million (£30 million) of city money has been wasted on the statue of a Tsar who rejected Moscow as his capital. The statue is being erected to mark the 300th anniversary of the Russian Navy in what is a landmarked city. The statue itself is not impressing Muscovites either.

"It is monstrous, I just don't have the words for it," said Yuri Nikolayev, an oil painter selling his pictures on the embankment in the shadow of the statue.

The final charge against Mr Tsereteli is the most unusual one: self-plagiarism. Four American cities rejected his plan for a 311ft statue of Columbus before the city of Columbus, Ohio, approved the idea. But they have not yet found the funding to start creating it.

Mr Tsereteli has denied that the statue is just an inverted image of his earlier design, but the similarities are striking. Columbus stands on a ship on top of a thick column, left arm raised, right arm resting on a ship's helm. Peter the Great is also standing on a ship on a column. Only it is his right arm that is lifted up, holding a scroll. His left hand is holding an eight-spoked ship's wheel identical to the one on the Columbus statue.

It is not the first time that Mr Tsereteli has been accused of recycling designs. A sculpture in bronze called *Tragedy of the People*, in memory of the victims of the Nazis, was commissioned for Moscow's war memorial park, Poklonnaya Gora (The Hill of Bows). It depicts the gradual disintegration of a man into a corpse. But Moscow newspapers alleged that the *Tragedy of the People* was a reworking of *The Tragedy of the Jewish People*, an

FROM THOMAS DE WAAL IN MOSCOW



Peter the Great, the Tsar who rejected Moscow as his capital



Columbus, who found America while seeking a route to India

Israeli commission that was later shelved. After a host of complaints the Russian version, which used up most of the bronze in the city's sculpture store, has been shipped to a less prominent location.

For the sculptors of the Moscow Artists Union, the Peter the Great statue was the last straw in a process they are calling "Tseretelisation". Under the patronage of Yuri Luzhkov, the Mayor of Moscow, and

his "cultural adviser", the folk singer Iosif Kobzon, Mr Tsereteli has already put up five major monuments in the capital.

His largest monument to date, a war memorial called *St George and the Dragon*, is particularly controversial. It is supposed to be an angel perched on a sword, but has been unfavourably compared to a cockroach skewered on a pin. Alexander Solzhenitsyn recently joined the chorus of complaint and fulminated against Mr Tsereteli's "massive and third-rate monuments".

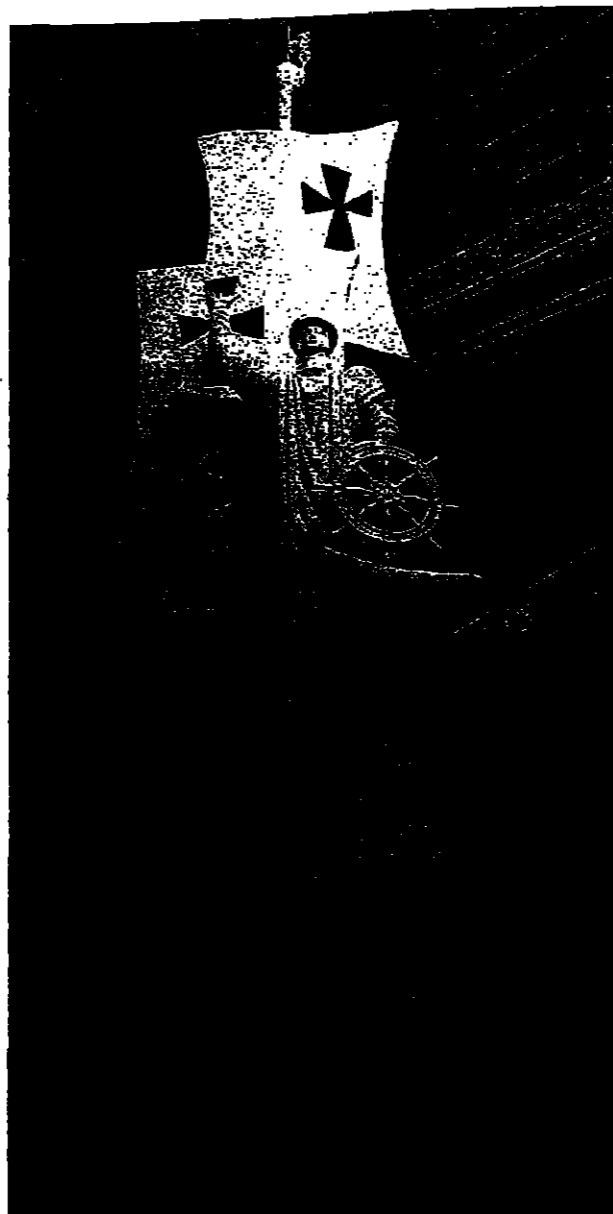
Igor Bondarenko, an architectural historian, said his main objection to the new statue was ethical not aesthetic. If it was not Mr Tsereteli, he said, they were capable of commissioning "someone even worse".

"I am depressed and annoyed by a system in which someone can take decisions like this without any consultation," said Mr Bondarenko. "Why should I be forced to look at this Columbus in a new guise when city money could be being spent in so many better ways?"

Mr Tsereteli first won fame 15 years ago with a statue celebrating the friendship of the Georgian and Russian peoples. A tall rectangle spilling out letters of the Georgian alphabet, it met with a puzzled but generally positive response in Moscow. His abstract style was greeted as a welcome change to the tradition of sombre, figurative statues of Soviet leaders. But ironically since the break-up of the Soviet Union, Mr Tsereteli has reverted to the more traditional style against which he used to react.

He is now consolidating his status as court artist. He and his patron, Mr Luzhkov, were recently awarded the Russian State Prize for Literature and the Arts by President Yeltsin.

"My work is not yet finished, so it is too early to give any kind of evaluation," Mr Tsereteli said at the weekend. "It will be a new ensemble of worldwide importance, which is why the Moscow Government is attaching such huge importance to the project."



Columbus, commissioned by Columbus in Ohio, which critics say is a model for the Moscow work

## Aid workers quit Chechnya over Red Cross deaths

FROM RICHARD BEESTON IN MOSCOW

WESTERN aid organisations yesterday ordered an emergency evacuation of their staff from Chechnya, after gunmen using silenced weapons murdered six Red Cross workers, five of them women, as they slept in their beds.

In one of the single most brutal incidents of the two-year separatist conflict, several suspected Chechen gunmen broke into a hospital in Novye Atagi, 11 miles south of Grozny, and murdered the aid workers early yesterday.

Local residents came out to watch as colleagues of the victims loaded coffins onto a white lorry bearing the logo of the Red Cross. The hospital has treated 1,500 people since it opened in September.

No one claimed responsibility for the murders, and both the Chechen authorities and the Kremlin were quick to condemn the incident and emphasised that it should not be allowed to undermine their peace agreement.

Nevertheless, the attack did have the immediate effect of halting practically all foreign assistance to the region.

The ICRC described the incident as the single worst attack on its organisation in its 133-year history and ordered the immediate evacuation of its remaining staff from the war-torn republic. It named the victims as: Hans Elkerbout, a Dutch construction technician; Ingeborg Foss, a Norwegian nurse; Nancy Malloy, a Canadian medical administrator; Gunnhild Myklebust, a Norwegian nurse; Sheryl Thayer, a New Zealand nurse; and Fernanda Calado, a Spanish nurse.

News of the murders caused panic in the foreign aid community working in Chechnya.

Merlin, the British medical charity, ordered the evacuation of its staff from the area. It has suspended its programme for one week while it considers whether or not to continue its operations.

Médecins sans Frontières reportedly pulled out its staff from Chechnya earlier this year after a number of its employees were kidnapped by masked gunmen and only freed after ransom payments.

Russian Kutayev, a Chechen official, said the killings were "an intentional and planned provocation aimed at foiling presidential and parliamentary elections scheduled for January 27. It is widely suspected that hardline Chechens, opposed to the peace deal with Russia, may have targeted the Red Cross workers in an effort to destabilise the shaky agreement."

The attack will be particularly humiliating for Zelimkhan Yandarbiyev, the Chechen President who is running for re-election, because he lives in the village and it is considered one of his strongholds. His authority has been severely tested over the past few days. Over the weekend Salman Raduyev, a renegade Chechen guerrilla leader, made his opposition to the truce with Moscow plain when he abducted 22 Russian servicemen and issued demands for their release.

The two incidents, coming so quickly one after the other, have renewed speculation that, once Russia pulls the last of its troops out of Chechnya next month, the nation will not evolve into a new democracy but rather slip into a state of anarchy where authority will lie with various armed clans.

## Daughter's role denied by Kremlin

BY THOMAS DE WAAL

THE Kremlin denied a newspaper report yesterday that President Yeltsin's daughter, Tatyana Dyachenko, is going to be given the official status of presidential aide, a move that would amount to her formally in her role as the President's closest adviser.

The heavyweight daily newspaper *Segodnya* said Mrs Dyachenko would be given an official title before the month's end. Sergei Yastrzhembsky, Mr Yeltsin's press secretary, denied the report, but gave himself a let-out, saying only that there were "no documents confirming the appointment."

Mrs Dyachenko, 37, is credited with having been her father's chief image-maker during the summer election campaign. Since then she has stayed one of his closest political advisers and a close colleague of Anatoli Chubais, the Kremlin chief of staff.

A monthly poll of experts in *Nezavisimaya Gazeta* to list Russia's "100 leading politicians" put Mrs Dyachenko tenth this month, ahead of the defence, interior and finance ministers. The Opposition dubs her part of an unaccountable clique running the Kremlin.



Dyachenko: top adviser

## Russian intelligence service exposes 400 spies in two years

BY RICHARD BEESTON

IN THE past two years officers with Russia's counter-intelligence service have identified and put under surveillance about 400 foreign operatives and apprehended 39 locally recruited Russian spies, Nikolai Kovalyov, its head, said yesterday.

He added that Moscow was ready to overlook this year's damaging spy dispute with Britain, predicting that the two countries would continue to co-operate on intelligence.

Speaking at a Moscow press conference, Mr Kovalyov, who heads the Federal Security Service (FSB), the successor to the KGB, said Russia was the target of numerous foreign spying networks. "Unfortunately, the forecast for the coming years does not suggest

that the activities of foreign special services will diminish," he said.

Among recent arrests, he highlighted that of Platon Obukhov, the junior Foreign Ministry official accused of spying for Britain. His arrest in April triggered the worst spy dispute since the Cold War, involving the expulsions of eight diplomats, four each from the embassies in Moscow and London.

"The British assumed the mode of communication they used was based on the latest technology, the latest achievements of science and technology, and they thought this was perfectly safe," said Mr Kovalyov, suggesting Britain had been lax in handling Mr Obukhov. "I do not think it will affect the relations be-

tween the two countries," he said. "In some ways the British special services have helped us a great deal."

He also accused the United States, Israel, Sweden, Turkey and the Baltic states of running intelligence-gathering operations in Russia, adding that a Russian working for an unnamed European state would be exposed soon.

Still based at the Lubyanka, the infamous home of the KGB, the FSB has lost much of its power over the past five years. Its inadequacies were exposed during the Chechen conflict, when it failed miserably to gather intelligence on separatists.

It is becoming increasingly active in areas such as fighting organised crime, corruption and terrorism.

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# Sick Mobutu flies home with mission to prop up Zaire

FROM SAM KILEY, AFRICA CORRESPONDENT, IN NAIROBI AND BEN MACINTYRE IN PARIS

PRESIDENT MOBUTU of Zaire returned to Kinshasa yesterday after months of cancer treatment in Europe to confront his toughest political task — how to prevent the break-up of the vast country. Stepping off his chartered plane from Nice, the last of Africa's great dictators, who has amassed billions during his repressive 31-year rule, raised his hands in salute to 20,000 "supporters" in the crumbling capital. The 66-year-old leader was accompanied by a huge entourage of security guards, aides and family members. His flight was followed by a cargo plane carrying consumer goods such as French washing-machines, refrigerators, televisions, video recorders and other items purchased in a last-minute shopping spree by the Mobutu clan. Each of the consumer durables, making up the President's baggage, costs more

than the average Zairean's annual wage of \$200. Many African observers were surprised that Mr Mobutu bothered to return. "He has salted away the best part of \$9 billion (£5.4 billion), he's dying, old, and has probably lost all credibility he had with his own people. Why he didn't stay where he was [in the south of France] and watch Zaire fall apart on satellite TV beats me," one Western ambassador in Nairobi said. But others believe only he can hold Zaire together as rebels in eastern Zaire have seized control of a swath of the country and routed his army. The rebels — the Alliance of Democratic Forces for Liberation, Congo-Zaire — under Western pressure have been offering ceasefire negotiations for the last ten days. So far Mr Mobutu has given few clues to his plans for tackling the Rwandan-backed rebel offensive in the east.

"Most Africans want to die at home, and he is dying. There are also signs that he has been wheeling and dealing behind the scenes, trying to send an envoy to meet with the rebels so that they can negotiate some sort of peace," another ambassador in Kigali, the Rwandan capital, said. Before leaving France, Mr Mobutu met many French politicians, African leaders and Raymond Chretien, the United Nations envoy, but he has not said whether he hopes to negotiate an end to the rebellion or muster his demoralised troops for a counter-offensive. For the past five years Mr Mobutu has ruled a country the size of Western Europe with a mixture of well-timed chaos, to prevent his enemies from organising an effective opposition, followed by complete indifference. As a result, the mineral-rich provinces of Shaba and East and West Kasai have established a form of autonomy, and North and South Kivu are now under control of the rebels led by a veteran guerrilla leader, Laurent Kabila. They have vowed to march on Kinshasa. African leaders are worried that, if Zaire falls further into chaos, anarchy will spread to the nine nations bordering it: civil wars already rage in Burundi and Sudan. Mr Mobutu's first task may be to rein in his own administration before both the Government and Zaire collapse under a rebel onslaught. "This is the sort of challenge he might like. Perhaps he will rise to it," a veteran African diplomat said.



A woman tries to protect her belongings yesterday as she wades through the floodwaters in the southern Indian city of Madras. Thousands of homes were submerged, rice crops were damaged and more than 80 people were killed during heavy rains in Tamil Nadu state last week

## Peking's chosen chief tells Patten to face reality

TUNG CHEE-HWA, Hong Kong's Chief Executive-designate, yesterday

urged the Governor, Chris Patten, to "face the reality" and help to establish a form of government for the future. "Too much argument has gone on over the provisional legislature," the 59-year-old shipping tycoon said in comments before flying to Peking for his formal appointment as the future leader of post-colonial Hong Kong. Mr Patten has denounced the provi-

FROM JONATHAN MIRSKY IN HONG KONG

sional legislature as unwarranted and says he will have nothing to do with it. Speaking to the Joint Chambers of Commerce, Mr Tung said the British and Hong Kong Governments were "wrong" for refusing to co-operate with Peking's handpicked Provisional Legislative Council which, on July 1 next year, will replace the present wholly elected Legislative Council

(LegCo). The new 60-member council will be chosen on Saturday. Both councils will operate at once and, obviously, in mutual opposition. Although the provisional council will not formally take office until July 1, its influence will be great if not decisive from the start. Nevertheless, Mr Patten has described it as "this echo chamber". Mr Tung has admitted that

there are doubts about its legality, but he said this will be resolved. Although Mr Tung was careful yesterday not to set any clear limits on free speech, he left no doubt what he would discourage. "Achieving our aims need not go through open confrontation or street demonstrations," he said in an oblique reference to Hong Kong democrats, who frequently take to the streets to protest against Chinese actions.



President Mobutu and his wife arrive at Nice airport from where they flew home to Kinshasa.

### Israelis reject US criticism

FROM ROSS DUNN IN JERUSALEM

THE Israeli Government yesterday rejected criticism by President Clinton that its policy of Jewish settlements was an obstacle to peace. Benjamin Netanyahu, the Prime Minister, declined to comment but Yitzhak Mordechai, the Defence Minister, made it clear that his Government intended to expand Jewish settlements in the West Bank and Gaza Strip, despite increased pressure from the United States not to do so.

"The policy of this Government is to strengthen settlement in places where it exists," Mr Mordechai told reporters during a visit to the Gaza Strip.

"There are natural needs and necessary growth and I believe this policy is clear and was explained to every national and international element. If there are disagreements, it is better for us to talk about them."

### Australia uncorks wine's genetic code

FROM ROGER MAYNARD IN SYDNEY

THE Australian wine industry, which already enjoys an enormous British following, is poised to further consolidate its worldwide reputation with the development of genetically enhanced vines.

The breakthrough, announced by scientists in Adelaide yesterday, is expected to transform the country's wine and dried fruit industries by boosting — both — productivity and quality.

Australian researchers believe the genetically modified vines will produce superior grapes, enhanced flavour, improved colour development and increased disease resistance.

The research team, funded by the Australian Government's Commonwealth Scientific and Industrial Research Organisation, has already produced 20 grape vines from single cells in a test tube environment, each containing a new introduced gene.

Nigel Scott, the research team leader, revealed that they had managed to isolate the vine genes responsible for differing characteristics, such as colour and sugar accumula-

tion, as long ago as 1991. Since then they had been searching for a system to return the genes in a modified form into the grape vines.

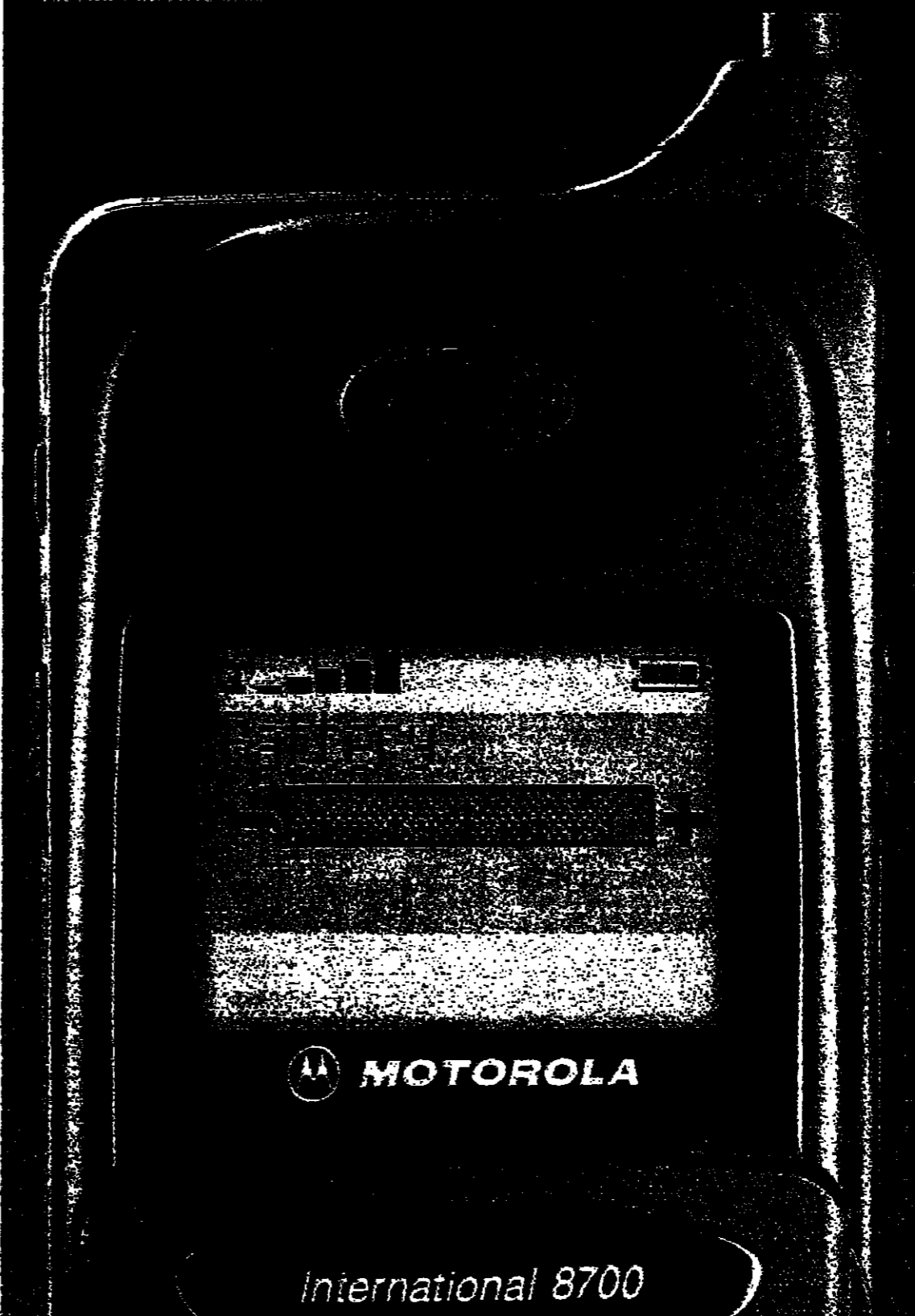
"That's what we have now," he said. "It is a tool which is used for most transformations of plants but for grape vines it has been more difficult. It is the last piece of the jigsaw puzzle we need."

Mr Scott said their research would now move on to colouring agents in other grape vines including the chardonnay and cabernet varieties. Success in this area could reduce the need for sulphur dioxide in white wines and enhancing the colour of red varieties. The process might also help to isolate those genes which prevent some of the more damaging vineyard diseases.

Australia's wine industry, already worth £750 million, produced an all-time record grape output for the 1996 vintage of 885,000 tonnes. With production expected to increase rapidly over the next few years, yesterday's announcement could place Australia on the threshold of a worldwide wine bonanza.

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# Clintons' fighting fund repays cash to Buddhist sect

FROM TOM RHODES IN WASHINGTON

THE CLINTONS have been forced to repay \$640,000 (about £400,000) in questionable Asian donations that were intended to help in settling the mounting legal costs of scandals involving the White House.

The latest embarrassment to the President and his wife emerged after trustees of their legal defence fund announced that much of the money, received from an Asian businessman in Little Rock, had been raised at American meetings of a controversial Buddhist sect based in Taiwan.

Although the money was returned last spring, long before a controversy erupted over Democratic campaign finances, the repayment was not made public until more than a month after the Clintons were returned to the White House.

Created in 1994 to help to pay the legal fees incurred by either Bill or Hillary Clinton, the defence fund currently faces \$2.2 million in bills from inquiries into Whitewater, the Paula Jones sexual harassment suit and numerous other investigations. Without the dubious donations, trustees said the fund now totalled little more than \$100,000.

Mrs Clinton is once more at the heart of this latest saga involving Charles Yuh Lin Tzue, a native of Taiwan and a long-standing friend from Arkansas. In March Mr Tzue presented the fund with two large envelopes filled with cheques, all apparently from American citizens. Many of the cheques seemed to have been issued by the same people, others were corporate and most of the money had been raised at meetings of one Buddhist organisation. The rules of the defence fund insist that contributions cannot come from companies, must



Hillary: new saga

be personal and should be no greater than \$1,000 a year. The Suna Ching Hai International Association is one of the fastest growing sects in the United States. Disciples are ordered to divorce their spouses and stop having sex with their partners if they fail to recruit them to the Buddhist organisation.

Ching Hai, the master, has auctioned personal effects, handkerchiefs and even her Volvo to raise funds for the group. Last year one initiate said she had spent \$800 on a pair of the leader's socks.

"We concluded under the circumstances we should not accept the contributions and

the decision to return the money was ... in the best interest of the President and Mrs Clinton," said Michael Cardozo, the chief trustee.

At the time the trustees informed both Mrs Clinton and Harold Ickes, the deputy White House chief of staff, of their concerns and the cheques were locked in a box while investigators tried to trace all the donors. Initially, Mr Cardozo said, Mrs Clinton appeared not to recognise Mr Tzue's name, but then remembered that he had a restaurant in Little Rock. "Only then did she say, 'Oh I think that is one of the restaurants where Bill used to go for lunch when he was Governor,'" he said.

Under the circumstances it was therefore surprising that two weeks after the meeting the White House announced the appointment of Mr Tzue to a 16-member advisory panel on Asian trade.

The return of the money is certain to focus further attention on this shadowy figure from the Clintons' past. Even before the announcement, there were indications that the Taiwanese restaurant owner may have had a hand in orchestrating questionable contributions to the President's re-election committee.

He first met Mr Clinton while he was running the Fu Lin restaurant in Little Rock but has since become an international business consultant who maintains a flat at the Watergate complex in Washington and has recently started a partnership with Ng Lap-seng, a Chinese born developer living in Macau.

Mr Tzue also has links to the Riady, the Indonesian billionaire at the centre of congressional inquiries into irregular donations to the Democratic electoral campaign.

## Belgians reward top sax appeal

Brussels President Clinton's services to the saxophone have been recognised by a Christmas present from the Belgian town of Dinant, birthplace of the saxophone's inventor, Adolphe Sax (1814-1894). The gift was a brooch made from 18-carat gold in the form of Mr Clinton's favourite instrument. (AFP)



Estée Lauder, whose \$3.8 million made her the fifth best-paid woman in America

## American women break through \$10m pay barrier

FROM QUENTIN LETTS IN NEW YORK

FEMALE chief executives in American business saw their salaries leap last year, breaking through the multi-million dollar barrier.

Women still earn 71 cents for every dollar earned by men in American business, and only 2 per cent of the best-paid executives are female, but the gains suggest that change is on the way.

The top woman on *Working Woman* magazine's list of fitness executive Linda Wachner, was paid \$11.2 million (£7 million) last year — a far cry from the top-salaried

male executive, Lawrence Coss, who was paid \$65 million.

The number of women in the ranks of best-paid executives at "Fortune 500" companies (the best-known firms in the United States) almost doubled last year.

According to company reports filed with the US Securities and Exchange Commission, the ten best paid women in US business are:

1. Linda Wachner, Warner and Authentic Fitness, \$11.2 million  
2. Jill Barad, Mattel toys,

\$6.2 million  
3. Carol Bartz, Autodesk computers, \$5.5 million.

4. Sally Crawford, Healthsource, \$4 million.

5. Estée Lauder, Lauder cosmetics, \$3.8 million.

6. Ngare Cuneo, Conesco insurance, \$3.7 million.

7. Jane Hirsch, Copley pharmaceuticals, \$3.4 million.

8. Nancy Pedot, Gymboree clothing, \$3.2 million.

9. Donna Karan, Donna Karan fashion, \$2.8 million.

10. Sharon Mates, North American Vaccine, \$2.3 million.

## Williams charge over Senna used liberally in Italy

FROM RICHARD OWEN IN ROME

ITALIAN legal experts said yesterday that Frank Williams, the Formula One team leader charged with manslaughter over the death of Ayrton Senna, the world champion, was unlikely to face the full sentence of five years in prison if convicted.

Lawyers said it was probable that he and five other people, due to stand trial in February, would be given suspended prison terms of less than a year.

Manslaughter — in Italian *omicidio colposo*, literally culpable homicide — is a charge frequently brought in Italy in cases where a person is deemed to have contributed to the death of another "through negligence or fault". It is "generally regarded with indulgence", one legal expert said. Often, the defendant is not required to appear in court.

The announcement of Mr Williams' trial raised little interest here and was dismissed by Italian newspapers yesterday in a few brief paragraphs in the sports pages.

The Italian legal system, based on a combination of Roman law, the Code Napoleon and Fascist-era laws, is notoriously Byzantine and long-winded. Approximately half of all cases brought are eventually thrown out, while many others take years to come to court.

The charge against Mr Williams under article 589 of the Italian penal code, which provides for manslaughter charges, comes after a two-year inquiry by the public prosecutor in Bologna, and a review of the evidence by a local examining magistrate, who decided to bring charges.

Senna, a Brazilian and three times world champion, died on May 1, 1994, when his car crashed at the Imola track during the San Marino Grand Prix. The prosecution will allege that Mr Williams and

others contributed to the driver's death "through negligence or fault" because the steering column had been modified to the point where it snapped as Senna took a curve at high speed. Track officials are also charged because they were responsible for all maintenance at the ground.

Lawyers for the Williams team say the steering column remained intact until the moment of impact, and that the charges are unfounded. Those charged are Mr Williams; Patrick Head, the Williams technical director; Adrian Newey, the teams chief designer; Federico Bendinelli, the Imola race track director; and Giorgio Peggi, a senior track official. The Imola officials also say they bear no responsibility for what happened.

Roberto Causo, a lawyer for the Williams team, said manslaughter was considered a relatively minor offence in Italy. The trial would be heard by a *pretore*, the equivalent of a local magistrate in the English legal system. His judgment will be open to appeal.

Roberto Landi, one of the lawyers for Imola, said: "We will attempt to show that the race track bore no responsibility for what happened."

Legal experts said the charge of manslaughter has even been brought in cases where a mother accidentally suffocated her baby while sleeping next to it. The maximum sentence of five years is rarely applied, and most cases are judged leniently, sources said.

The trial leaves the future of Formula One in Italy in question. Flavio Briatore, the Benetton team boss, one of the most important men in the sport, said he would be unwilling to race in Italy if Williams was convicted.

Questions over races, page 41  
Mansell doubts, page 44

## Challenger debris washes up on beach in Florida



Challenger explodes seconds after lift-off in 1986

TWO large pieces of the space shuttle *Challenger* washed up on the Florida shore yesterday — nearly 11 years after it exploded, killing all seven crew.

Nasa identified a rectangular piece of metal, 6ft by 15ft, and a smaller piece, 1ft by 5ft, that was found further north as being parts of the doomed spacecraft.

The larger piece, believed to be part of the rudder, tail or wing flap, had pieces of thermal tiles attached. Some of the tiles still had identification numbers on them, said Bill

FROM ASSOCIATED PRESS IN CAPE CANAVERAL, FLORIDA

Johnson, for Nasa. "It has been verified. It is for sure a piece of *Challenger*," he said.

It has been several years since any *Challenger* pieces have surfaced. Although Nasa regularly receives reports of debris, it usually turns out to be pieces of unmanned rockets or other flammable jets.

"It's unlikely," Mr Johnson said. "First of all, it's a very large piece, and nothing so big has washed up in Florida before. They've washed up in the Carolinas."

Both pieces were found in

the surf yesterday morning in nearby Cocoa Beach.

*Challenger* exploded 73 seconds after lift-off on January 28, 1986, killing Christa McAuliffe, who was to have been the first teacher in space, Jarvis, and their five crewmates. A leak in a joint on the right solid-fuel rocket booster was blamed.

Within a day, hundreds of pounds of metal was salvaged. The remains of the astronauts were found in March 1986 in the debris of the crew cabin.

Both items were to be taken to Kennedy Space Center for

further analysis. Eventually, they will be buried with the other reclaimed *Challenger* remains — about 5,000 pieces weighing a quarter-million pounds — in abandoned missile silos at the adjoining Cape Canaveral Air Station.

The others in the *Challenger* crew were commander Francis "Dick" Scobee; pilot Michael Smith; Judith A. Resnik, the second American woman in space; Ronald McNair, the second African-American in space; and Ellison S. Onizuka, the first Asian-American in space.

## White rhinos killed in Chinese bungle

FROM GILES WHITTILL IN LOS ANGELES

A PAIR of rare white rhinoceroses died because of a bungle after the beasts were sent from the United States to a remote zoo in western China.

The animals, two of about 6,000 surviving, died because of dehydration after five days in blazing heat in an open lorry. The rhinoceroses were a gift from San Diego Zoo, where officials admitted this week that the animals ought never to have left America.

The beasts arrived in Shanghai in mid-July, looking

"healthy". However, when rail wagons proved too small for their cages, a lorry was used for the 1,200-mile trip to Chengdu. On July 21, the animals died after five days on the road. The journey would have taken two days by rail.

Song Yunfang, of Chengdu Zoo, said: "Air-conditioned lorries were scarce and we thought since they were tropical animals they should have no problem with the heat. It's very regrettable but we expended all possible efforts."

## PRODUCT RECALL

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The manufacturers, Park Cakes, have now reviewed their procedures and undertaken a full investigation. No other Tesco mince pies are affected by this withdrawal.

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## White House aide in \$3m book deal

FROM TOM RHODES IN WASHINGTON

FOR four years the *Wonder-kind* of the White House, George Stephanopoulos yesterday landed a publishing deal worth almost \$3 million (£1.8 million) for his personal memoir of life with President Clinton.

The basis for the lead character in *Primary Colors*, the fictional account of the 1992 campaign, Mr Stephanopoulos has chosen Little Brown to publish what he described as his own episodic narrative of policy and politics in the White House.

After a six-day auction among publishers in New York, the deal was seen as yet another coup for the political adviser by many of his colleagues in the American capital.

Soon to be leaving the White House, Mr Stephanopoulos will be paid \$500,000 more than his erstwhile associate, the disgraced consultant, Dick Morris. Mr Morris, who resigned after reports of his liaison with a prostitute in Washington, is thought to have a seamy tale to tell about his dealings with the

First Family. "I feel like I won the lottery, in reverse," said Mr Stephanopoulos after he clinched the deal. "Now I have to do the work."

Although he has kept no diaries or notes and is expected to have the volume ready for publication late next year, Mr Stephanopoulos, 35, said he had a "very good memory".

Since announcing his departure from the second-term Administration, Mr Stephanopoulos, a former Rhodes scholar, has already accepted a teaching position at his New York alma mater, Columbia University, and has joined ABC News for an undisclosed sum as a political analyst. There have even been reports that he might offer unpaid assistance to the campaign of Tony Blair in Britain.

He is still having trouble selling his Washington apartment for a reported \$1.2 million and, according to an investigation by *Vanity Fair*, has run up \$70,000 in legal bills responding to a series of subpoenas — although charged with no criminal activity.

## Computer in a trillion

New York: There is a new record for supercomputing: 1,000,000,000,000 calculations a second (Quentin Letts writes).

The "trillion barrier" (trillion in the American sense) was smashed by a huge \$55 million computer part-designed by the US Government. The "Teraflops" machine is three times faster than the previous Japanese supercomputer champion.

Teraflops consists of a string of 7,624 ordinary desktop Intel Pentium chips placed in parallel and programmed as one. Scientists worked on the program for two years. In the time it takes a human to blink, the Oregon-based supercomputer has dispatched 40 billion calculations.

It will be used to simulate nuclear weapons tests and will assist weather forecasts, and space and medical research.

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### The Times executive leather collection

Clockwise from left: Conference folder, cheque book holder, travel wallet, wallet, credit card holder and business card holder. Additional items featured in photograph not included.

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Wallet: internal coin pocket with fastener, two banknote pockets, four credit card slots, two concealed pockets and secure press-stud closure. 120 x 95 x 16mm.

Cheque Book Holder: full length pocket and cheque book holder slot, a credit card pocket, and a drivers licence pocket. 212 x 94 x 10mm.

Credit Card Holder: six internal credit card slots, two concealed pockets. 118 x 75 x 8mm.

Business Card Holder: pocket for supply of business cards, two card slots, and internal lid pocket. 103 x 88 x 16mm.

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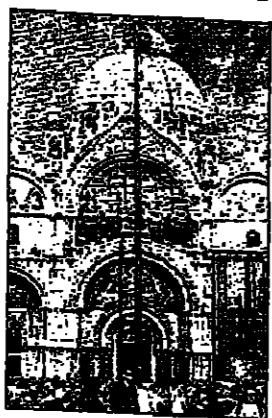
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St Mark's Basilica

## Lion of St Mark is stolen from altar

FROM RICHARD OWEN IN ROME

ST MARK'S Basilica in Venice, once described by John Ruskin as a "treasure-house and confusion of delight", had one less treasure and a bit more confusion yesterday after the theft of an early 17th-century bronze lion.

The loss has symbolic importance for Venice, whose symbol is the Lion of St Mark, usually shown holding a book with the words, allegedly addressed to the evangelist by an angel who appeared to him in the lagoon: *Pax tibi, Marce evangelista meus* (Peace be with you, Mark, my evangelist).

Police said the lion, one of a pair at the foot of an altar in a side chapel, appeared to have been stolen early last Sunday morning. Its absence was not noticed until Sunday evening. Embarrassed officials at the Basilica confirmed the theft yesterday.

Some newspapers speculated that the lion — which was prized off its marble pedestal with a crowbar — was stolen during Mass and that worshippers either did not notice or thought the thieves were workmen.

The bronze lions were cast in 1615 by Gabriele Orlandini. Police said their market value was "impossible to calculate". They suggested the lion had either been stolen for a private collector or that the thieves would demand a ransom for its return.

## Juppé rushes into print to insist he is no monster

FROM BEN MACINTYRE IN PARIS

ALAIN JUPPÉ, France's desperately unpopular Prime Minister, laid bare his inner turmoil in a book published yesterday in which the unemployed, thin-skinned Prime Minister declared: "I am not a monster."

M Juppé's *cri de coeur*, entitled *Entre Nous* (Between Ourselves) and written in the space of just four afternoons, is a strange mixture of self-pity, self-deprecation and self-justification.

Early assessments of the slim volume ranged from "honest and uplifting" to "bizarre" and "cringeworthy".

In 116 pages of large print, M Juppé, 51, laments the way he has been portrayed as an arrogant technocrat, pleads for affection and insists that beneath his cool exterior beats the heart of a passionate man.

"I am not a monster of indifference... I am less dry and more human than the newspapers and drawing rooms reckon," he writes, noting that his political colleagues and journalists look at him "the way people look at a bullfight waiting for the bull to be killed".

"Like all men who take the front of stage, I need recognition, consideration, even affection," he proclaims. "I can make mistakes. I have already made mistakes."

One of these may have been the decision to write this book, which was condemned by the Socialist Opposition yesterday as "a media-narcissistic operation completely removed from France's problems... at the moment when French people are demanding that he think about them, Alain Juppé is preoccupied with himself."

*Entre Nous*, produced in deepest secrecy over the past six weeks, was apparently inspired by an unpleasant encounter in Bordeaux, where M Juppé is Mayor. Strolling in the city, the Prime Minister noticed a "fashionable-looking couple" walking towards him. They look friendly. At the moment they pass, the woman starts leaping like a goat and shouting "Die, you bloody idiot! Pretty passer-by, I wanted to reply to you," he writes.

"This is not a PR stunt, this is a cry from the heart," one of M Juppé's advisers said, but it is clearly part of a concerted effort to give the ailing Government a more human face at a time of deep disillusionment.

The French people grumble about change, and since I am the one trying to force this change, they find it a relief to blame me for their ills," the Prime Minister writes.

M Juppé, nicknamed "the computer" for his number-crunching approach, said during a television interview on Monday night: "I would prefer to be loved than not to be loved, but I am not complaining. If I said I didn't care, people would say I was indifferent."

"It is the book of a man who has been wounded, a little unhappy and, at the same time, quite calm," M Juppé writes. Computers have feelings, too.

Stepdaughter held: Sophie Deniau, the stepdaughter of Jacques Toubon, the French Justice Minister, was taken into custody yesterday by police investigating the near bankruptcy of a ski resort in the French Alps. (AFP)

Leading article, page 17



How Hachfeld in *Le Monde* sees the troubled birth of the European Union's single currency

## Prodi coalition at risk as IMF tells Italy to cut budget deficit by £5bn

FROM RICHARD OWEN IN ROME

THE International Monetary Fund (IMF) yesterday warned the centre-left Government led by Professor Romano Prodi that it will have to shave a further £5 billion off Italy's huge public deficit "as soon as possible" if it hopes to qualify for the European single currency.

The proposed 1997 budget has already led to demonstrations, and commentators have predicted further public protests in the new year if a "supplementary budget" is introduced, posing a possible threat to the Prodi administration.

An IMF team visiting Rome said Italy would have to reform its bloated public sector and cut state support for pensions, welfare and health spending. The Government, which took office in May, has so far avoided cutting the welfare sector for

fear of alienating the hard Left, on whose votes it depends in the Lower House.

The centre-right Opposition, led by Silvio Berlusconi, said the IMF message, in an end-of-year report on the Italian economy, meant that the country was doomed to "stay outside Europe".

Signor Prodi said, however, that the general thrust of the report had approved the Government's handling of the economy and its attempts to reduce the deficit through a combination of spending cuts and tax increases, including a highly unpopular "Euro tax".

Yesterday the Government won a series of confidence votes in the Senate on its controversial budget, which aims to cut the deficit by \$40 billion (£24 billion), but the opposition parties boycotted the vote.

The Government has a comfortable majority in the Senate. The budget now returns to the Lower House for a final reading before the end of the year. Failure to pass it by December 31 would force the Government to introduce provisional measures which would risk undermining Italy's fiscal credibility.

Cesare Romiti, the outspoken and powerful head of Fiat, said Italy was "going through a tragic moment" in its history, with a ruling class deficient in personalities.

Italians are beginning to realise they do not have even a crumb of hope for the future," he said. Signor Romiti added that the priority should be growth and job creation rather than a desperate attempt to qualify for European monetary union.

Signor Prodi also faced attacks from his own camp, with Massimo D'Alema, the leader of the former Communist Party of the Democratic Left (PDS), declaring at the weekend that the ruling coalition — of which the PDS is the main element — had lost sight of the reforming ideals with which it was formed.

"The challenge before us should be nothing less than the transformation of Italy," he said. Signor Prodi came to power promising to govern for five years and draw a line under Italy's postwar history of fragile "revolving door" governments.

Signor Berlusconi forecast earlier this month, however, that the Government would fall in the spring. Many Italians believe that Signor D'Alema has also privately concluded that the centre-left could fall apart, and is preparing the ground for a "national unity government" with Signor Berlusconi.

### NEWS IN BRIEF

## Nigerians sold as sex slaves

Brussels: Belgian police have smashed a major prostitution ring involving Nigerian girls brought into the country on forged papers and sold into sexual slavery. The ring also involved Italy, The Netherlands and Germany.

We know that at least 300 girls passed through this ring, Gendarmerie Captain Bernard Libbrecht said yesterday. So far 12 people have been arrested. (Reuters)

## Casinos to shut

Ankara: Tansu Ciller, the Turkish Deputy Prime Minister, ordered casinos to be shut as part of efforts by the Islamic-led coalition to curb gambling. She said: "Casinos make families suffer." (AP)

## Burma threat

Bangkok: Burma's military Government said Nobel Peace Prize winner Aung San Suu Kyi is a traitor conspiring with the West and will be destroyed, said an article in the state-run press. (AP)

## Fighting spreads

Mogadishu: The battle for the Somali capital widened when militiamen led by Ali Mahdi Mohamed joined the fighting, which has killed more than 1,350 people and wounded 400 in five days. (AFP)

## Minister jailed

Seoul: Lee Yang Ho, the disgraced former South Korean Defence Minister sacked from the Cabinet in October, was jailed for four years on charges of bribery and leaking military secrets. (Reuters)

## Guerrilla killed

Algiers: Algerian security forces shot dead Ibrahim Kadi, alias Kaalou, a Muslim guerrilla leader sought for more than 50 murders, the French-language daily *L'Authentique* said. (Reuters)

## Suicide attack

Colombo: A Tamil Tiger suicide bomber killed a senior police commander near the eastern town of Karaitivu, police said. In a separate attack seven soldiers were killed by a landmine. (Reuters)

## Diplomats join strikes over Greek budget

Athens: Thousands of public and private-sector workers, including diplomats, joined a strike yesterday in a final attempt to get the Greek Socialist Government to ease its 1997 budget — the tightest in 15 years (John Carr writes).

The General Confederation of Labour organised a mass rally at which people shouted anti-austerity slogans outside the gates of parliament as deputies took their seats for a five-day budget debate.

No surprises are expected in Saturday's vote, even though the Socialists led by Costas Simitis, the Prime Minister, have only a 12-seat majority. Merchant seamen — angry

over plans to scrap their generous tax privileges — tied up almost half the European Union's commercial fleets in a two-day walkout that began on Monday.

Diplomats are refusing to argue the country's political case abroad, because they are vexed that their entertainment allowances are to be cut.

Focus on Greece, page 31

## Starter's orders for new Bosnia force

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

MORE than 30,000 troops, including Americans, British and Russians, were given their orders yesterday to begin Operation Joint Guard, the latest military peace mission for Bosnia-Herzegovina.

Faced with another 18 months in Bosnia, the new Stabilisation Force (Sfor), which will also include troops from 17 non-Nato countries, will start officially tomorrow, when the one-year mandate of the Implementation Force (Ifor) expires.

Yesterday Nato defence ministers approved the activation order for the new force at a meeting in Brussels. Walter Strobe, American Defence Under-Secretary for policy, said: "The force will continue to be heavily armed and it will have a full range of armoury both to protect itself and, if necessary, to act decisively against violations of the Dayton peace accord that ended the 43-month war in Bosnia."

The new force has no new orders to track down and detain war criminals, despite pressure from The Netherlands and Canada for more powers to arrest those indicted for war crimes.

Earlier Michael Portillo, the Defence Secretary, gave a warning that the freefall in defence spending throughout the alliance could undermine its ability to act. He spoke out after a Nato defence review showed that the operation in Bosnia had suffered from inadequate intelligence due to lack of money.

Mr Portillo said European defence budgets had dropped to 1.9 per cent of GDP, of which only 14 per cent had been spent on advanced equipment. This compared with American defence spending equivalent to 3.6 per cent of GDP, with 26 per cent going on new weapons.

The row between America and France over command of Nato's southern forces in Naples remained unresolved. America has refused to countenance surrendering control of the Naples command. □ Belgrade: President Milosevic yesterday met student protesters marching for democracy. It was the first time the Serbian leader has met protesters who have held four weeks of rallies since opposition victories in local polls were overturned. (AP)

## Pilot 'given warning'

THE crew of the military aircraft that crashed near Dubrovnik on April 3 killing Ron Brown, the US Commerce Secretary, and 34 other people, was warned by a Croatian pilot, who had just landed to divert to Split because of appalling weather (Michael Evans writes).

The alert came as the US Air Force C-130 aircraft was descending on its approach to Dubrovnik's Cilipi airport. The plane crashed 125ft below the top of a 2,300ft mountain, about 1.7 miles to the left of the runway.

Pilot magazine said the board's report blamed "a failure of command, aircrew error and an improperly designed instrument approach procedure". Sixteen American officers were disciplined.

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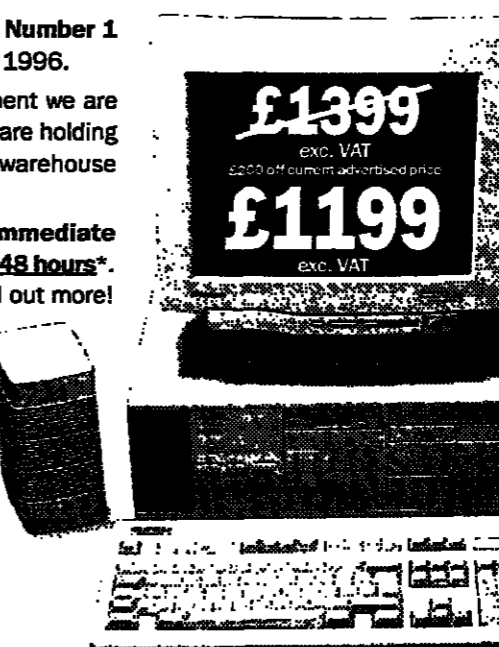
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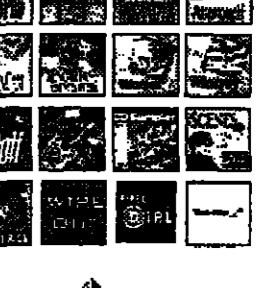
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INTERNATIONAL

## New Lads lead fashionable pitch invasion

Sportswear has moved off the field and into the high street, says Grace Bradberry

SPORTSWEAR is no longer just for the sports field. In the past few years, it has made significant inroads into other areas of men's lives, and has become a huge part of the men's fashion market.

Saturday morning strolls down the high street, Sunday lunches in the pub, and the occasional long walk can now all be undertaken without embarrassment in gear that could easily see you through the entire football season. You don't even have to be fit to get away with it, although it helps to be broad-shouldered.

The rise of the New Lad, with his predilection for "bloke's clothing" has boosted the trend. Television programmes such as *Fantasy Football League*, presented by Nick Skinker and David Baddiel, and *They Think It's All Over* have also been influential. Spectator sports are now cool, and you need to have the gear. Should you make occasional forays on to the football field, then so much the better.

But once high fashion gets hold of a trend, it can transmute it into something you wouldn't feel happy wearing on the terraces. At one end of the spectrum, there's the sort of sportswear that doubles as clubwear. At the other, there's "blokey" sportswear — comfortable, unpretentious, suitable for the rugby club. This is where Timberland comes in. The company has already established itself as a favourite for boots. Men like them. They're fashionable without being trendy, and they're eminently practical.

Now the American com-

pany has launched "Timberland Sports Series" in Britain, a collection designed to bridge the gap between the company's heavy-duty range, designed to withstand wilderness treks, and its straightforward sports-orientated clothing.

The principle behind it is guaranteed to appeal to the sort of men who recoil at an unnecessary lapel or an over-shaped shirt. What men really want, say the executives at Timberland, are not tight



Spectator sports are cool



Clothes with bloke appeal

neon T-shirts and jagged patterns, but generously cut, durable clothes in strong colours. They've been designed with tennis, après-ski and the gym in mind. They're also very comfortable for slumping on the sofa.

The clothes are modelled here by Greg and Jonathan Searle, the brothers who rowed for Britain at the last two Olympic games, winning gold in Barcelona and bronze in Atlanta.

The range is priced from £25 for a T-shirt to £200 for a waterproof jacket. Jersey shorts are £40, rugby tops, £50, and polo shirts, £60.

Photographer: RYAN SULLIVAN  
The Timberland store is at 125 Long Acre, London WC2

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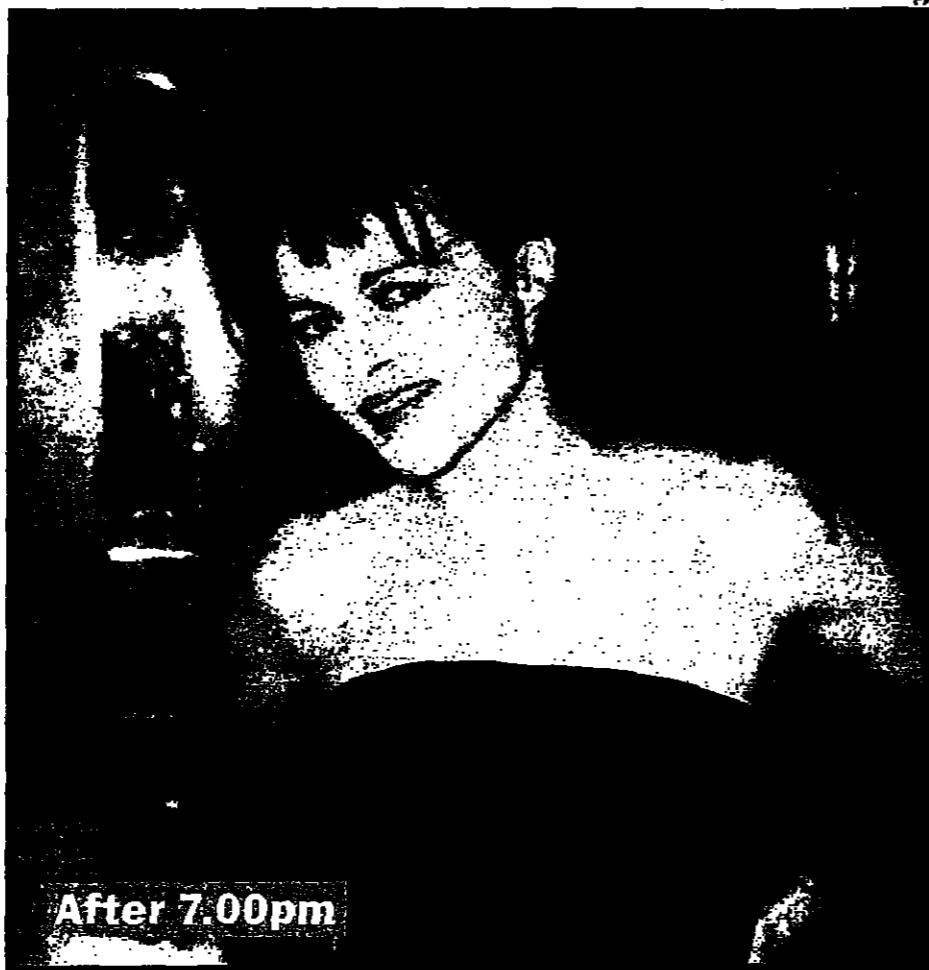
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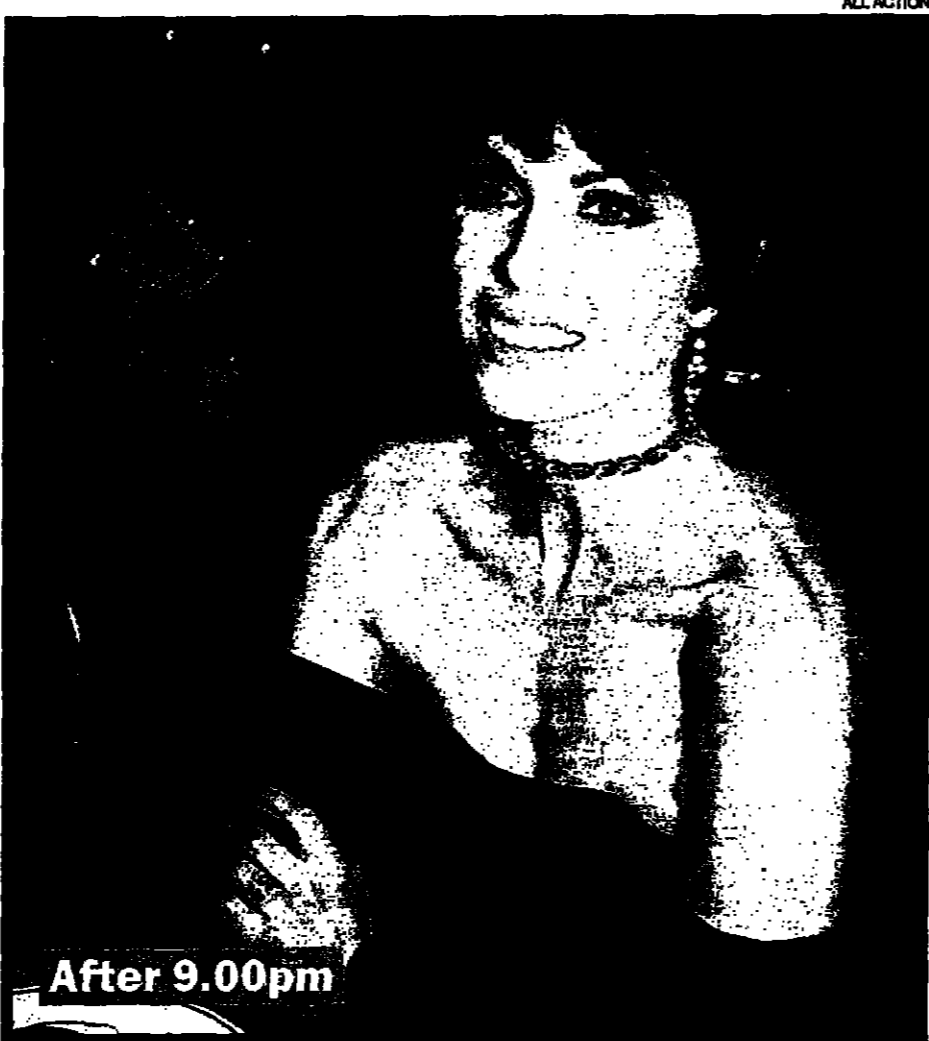
# How bare do you dare?



After 7.00pm



After 8.00pm



After 9.00pm



After 10.00pm

Following the basic code of breasts under wraps until the clock strikes eight are top, Helena Bonham Carter, left, and Linda Evangelista; bottom, Joanna Lumley, left, and Caprice

Never has the gap been wider between what most women dare to wear at parties, and what is officially chic. Designers have gone mad for diaphanous this season, and fashion groupies baring all have been making a peculiar spectacle of themselves at otherwise decorous events.

Whatever you do, don't be tempted to join them, unless you have ambitions to be a designer's muse — in which case the more outré the better. Sane, intelligent women are still very careful about what they reveal at parties. Glance around any society event, and you can spot the new arrivals quite easily. They're the ones trussed up in jackets or cardigans, their eyes flitting nervously round the gathering, lighting on exposed breasts or high necklines.

Once they establish that there is plenty of uncovered flesh about the place, the cardies come off, and the wraps are allowed to fall away from the breasts.

If there's a run of parties, starting with six o'clock cocktails, and moving on via a party to a late dinner, then the anxiety is still more acute. Baring the back at 7pm could be construed as vulgar. But failure to bare it at 9pm could give an impression of frumpiness. If the hosts have gone to a lot of trouble to create high-octane glamour, then you let them down at your peril.

So what degree of nakedness is acceptable, and at what time? To avoid making the flesh check every time you enter a room, the basic code is as follows: at lunch, everything must be

How much nakedness is acceptable and what can be shown when is the dilemma of the season. *The Times* Style Editor steers the best course between vulgar and frumpy

covered. At six o'clock drinks, the skirt rises and the tights become sheer. After seven it's time to reveal the arms. The breasts, however, remain under wraps until eight. As the night goes on, the décolletage reveals itself in its full glory.

Current fashion lore, however, flies in the face of this rule. Designers are in love with see-through dresses, visible panty lines, and enormous holes where holes shouldn't be. Even supermodels can't wear it. In the latest issue of *Vogue*, Stella Tennant models a turquoise bra from Agent Provocateur, but confesses: "I thought it to wear underneath a see-through dress but I realised pretty quickly that you can't wear those kinds of things in real life."

Not everyone takes such a sensible view. Last weekend, Liz Hurley attended a screening of her film, *Samson and Delilah*, wearing a black Ungaro dress that was not only backless but also transparent. "You could see her bottom



Grace Bradberry

right through it," remarked one observer. Even Miss Hurley, who seems to relish this kind of scrutiny, finally took cover beneath Hugh Grant's jacket.

"As far as I can see, you can go stark naked now," reflects Ewa Lewis, social editor of *Tatler*. "Older women in particular do seem to think bare flesh, whatever the state, is attractive to men. Essentially, however, if it looks good, then there's no code."

So while most of us adhere to a conservative convention, it can be astonishing what the beautiful people will get up to. "I've been to lunches where people have been quite dressy and boobs have been shown," says the society fixer Liz Brewer. "Last year we all wore our jackets with an uplift bra and slight cleavage."

Many people, it seems, operate a sliding scale. To show serious flesh you're looking at nine o'clock, when everyone's sufficiently hazed

over," says Amanda Craig, author of *Vicious Circle*, a novel full of media parties.

"Someone gave me an Yves Saint Laurent white shirt, with slits almost to the armpits," says Jilly Cooper. "It's got a high neck and you can gradually undo the buttons as you go on. By dinner it's practically down to the navel."

In certain circles, however, it is chic to be over (which means under) dressed in the early evening — it indicates that you are due to appear somewhere grander. "Nowadays people are very understanding," says Ewa Lewis. "If you're going to a drinks party, then a grand ball, you'd go to the first party in a ball gown."

Generally, this means sleeveless, and sometimes backless. Camilla Lighth-Pemberton, who runs the party planners Falt Accompli, reflects that it wasn't always like this. "In winter, it always used to be the thing to wear dresses with sleeves. But that has changed. You do see people in transparent blouses over bras, and it seems in some staggering way to be sort of acceptable."

Acceptable, perhaps, but rarely attractive. You can't blame designers for indulging in experiments. But don't suppose that every time they attempt to subvert conventional ideas of beauty they carry the entire population with them. For the foreseeable future, a flash of stocking or a glimmering collar-bone will continue to hold more allure than a visible panty line, or a drooping turquoise bra.

The New Sue Grafton

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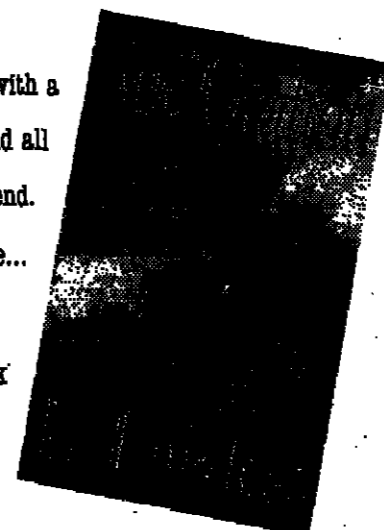
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Peace and contemplation: a woman "must be still as the axis of a wheel in the midst of her activities... a pioneer in achieving this stillness"

## Are women deeper thinkers than men?

When Aung San Suu Kyi, banned leader of Burma's Opposition party, gave the opening address in Peking last year at the international women's conference, her audience expected a stirring call for democracy or women's rights.

Instead they heard a long and thoughtful speech about the nature of tolerance, the meaning of fear, and the difference between people who are capable of learning and those who are not; she thought it was a more important distinction than the difference between good and evil.

Her speech was as much a philosophical treatise as a political address, centring as it did on the feminine qualities of tolerance, compassion — and the ability to learn. "I am not talking of learning in the narrow sense of acquiring an academic education," she explained, "but of learning as the process of absorbing those lessons of life that enable us to increase peace and happiness

A new book which looks at the spiritual life of women reveals some profound differences between the sexes, says Magnus Linklater

in our world." Her long years of enforced solitude under house arrest had given her time and food for thought, she said, and her conclusion was that women, with their traditional role as mothers and as teachers of their own children, were far better equipped to listen and to learn than men. It was time they turned what was too often a passive virtue into a positive asset for society.

Daw Suu Kyi was not voicing an entirely new idea. Writing 40 years earlier, Anne Morrow Lindbergh, wife of the aviator Charles Lindbergh, suggested that women had a greater capacity for contemplation than men. They turned inward for strength in a way that men who were so often caught up in the affairs

of the outward world, rarely did.

A woman, she wrote, "must be still as the axis of a wheel in the midst of her activities; she must be the pioneer in achieving this stillness, not only for her own salvation, but for the salvation of family life, of society, perhaps even of our civilisation".

To accept that there are inherent differences between the minds of men and women is to venture into dangerous territory. It mirrors the same prejudices that have conditioned social attitudes to women down the centuries — and still exist today. They are the attitudes that programme girls into accepting a different set of expectations and a different status from boys.

"Real women in the real world are continually conditioned," wrote Germaine Greer in *The Female Eunuch*. "Because the difference is so wholeheartedly believed in, it is also experienced." At its extreme, it may be the unforgiving view of Pythagoras: "There is a good principle which created order, light and man, and an evil principle which created chaos, darkness and women." It can justify the repressive attitudes of fundamentalist religions, and even in its mildest form it may influence the form teacher who automatically assigns the girls to "environmental studies" and the boys to engineering.

A new book which looks at the spiritual life of women down the ages sidesteps this male/female argument, and instead explores the way women have dealt with their inner life. In doing so, it reveals some profound differences in their approach.

Women, it suggests, often

attain a greater understanding of themselves and the world because they give more time and thought to seeking it than men. Without the male need to compete for material success, for political advancement or prestige, women have been able to concentrate instead on a different, and perhaps a more rewarding set of priorities. As Sarah Anderson, the book's editor, writes in her introduction: "Because [in the past] women had little or no opportunity for outward activities, these very limitations forced them to look inward, an activity which led to the acquisition of an inner strength, a self reliance, and increased spirituality."



Virginia Woolf

Sometimes their conclusions are deceptively simple, like that of Katharine Anne Porter, the American writer, who nearly died of influenza in the First World War, and experienced what she called "the happy vision just before death". That convinced her that for most of her life she had made the mistake of trying to live like other people. "It took me a long time to realise that that simply wasn't true, that I had my own needs and that I had to live like me."

The poet Kathleen Raine, echoing Blake, says that "improvement comes from within: genius summons from within... what we are worth is not what we have, not even what we have made or done, but what we are." Jane Hamilton, a modern novelist, writes similarly: "...for me God was something within that allowed me, occasionally, to see."

Sometimes they strive towards something more cosmic, like Virginia Woolf, writing about the "exceptional moments" which shock us

occasionally into a realisation of what lies behind "the cotton wool of daily life".

She talked of the pleasure she got from piecing together an explanation of these moments of shock: "From this I reach what I might call a philosophy... that we are parts of the work of art. *Hamlet* or a Beethoven quartet is the truth about this vast mass we call the world."

"But there is no Shakespeare, there is no Beethoven; certainly and emphatically there is no God; we are the words; we are the music; we are the thing itself."

Some themes emerge — emotion as inseparable from thought, for instance. George Sand wrote: "The best visible effects emerge only from emotion, and emotion comes only from conviction. No one is ever loved by something he doesn't ardently believe in."

Simone Weil said: "A poem is beautiful to the precise degree in which the attention whilst it is being composed has been turned towards the inexpressible."

And Isadora Duncan expressed the same thoughts about her own passion in life — dance: "I believe that in each life there is a spiritual line, an upward curve, and all that adheres to it is our life — the rest is but as chaff falling from us as our souls progress."

One subject, however, is notable for its scarcity — men. In an age obsessed by "relationships" it may come as something of a shock to find that women consider there may occasionally be more interesting things to explore than the opposite sex. Love, of course, makes regular appearances, but mainly as a route to higher things.

So when Henriette d'Angleville, a French mountaineer, writes, "My heart beat furiously, my breathing was impeded, and deep sighs burst from my breast," she is actually talking about her first sight of the top of Mont Blanc.

Whether this book reveals women as deeper thinkers than men, or simply that they take more interest in the affairs of the soul is less relevant than the light it sheds on a dimension of their lives we do not hear much about. Perhaps it is simply, as Germaine Greer once wrote, part of the "continuing dialogue between the wondering woman and the world".

*The Virgo Book of Spirituality*, edited by Sarah Anderson (Virago Press, £16.99)

Compliments to our chefs may be premature

## The proof of the British pudding

It is, as Marco Pierre White says, very flattering. It would be unnatural not to be a bit pleased when the president of the Epicurean World Master Chefs Society, and a Frenchman to boot, has apparently hailed Britain as the gastronomic centre of the world. And this isn't a compliment from just anyone, you know. Monsieur le Président is an eminent chef, one Jean Conil, who served his apprenticeship with Auguste Escoffier. It's rather like having a person who did a training analysis with Freud praising someone's psychoanalytic technique.

But I can't imagine these words have made M Conil exactly a hero in his own country, where French culinary supremacy is an article of faith. It's not as if he was happy to leave it at praising the Brits — he came, too, to bury the French. We have people like Marco Pierre White and Gary Rhodes to thank for our new-found culinary eminence.

M Conil concludes, whereas "French chefs are finished". I wrote in this paper some weeks ago about the demise of good food in France, so I can see what M Conil is getting at. And, up to a point, I agree. But he wildly exaggerates. Even Marco Pierre White appears embarrassed by the exuberance of this official flattery. Not someone known for his modesty (nor should he be, someone with that talent) he has responded honestly. "I don't believe we serve the best food in the world," he said (he's right, we don't), adding that nice though it may be to be praised and recognised "we do have to be realistic".

The thing is, I'm not sure anyone wants us to be realistic. It's not enough that we have to have the best pop stars and the best models, we now live in a fantasy world in which we have the best food. The reality is rather different. Of course things are immeasurably better than they once were — 40 years ago people had to go to Timothy Whites for olive oil and to Soho for pasta — but just because we now have Sainsbury's Special Selection and a whole battery of superchefs doesn't mean we're living in "gastrorheaven".

We confuse a number of things in our keenness to trumpet our own gastronomic ascendancy. In the first instance, we confuse London with Britain. It is now relatively easy to eat well in London, but — and I don't care whom it offends — it is virtually impossible to eat well out of it.

Restaurants are the most obvious area of difference. Good restaurants in the country tend to be of the squirry-scripted, country-house variety, boasting a menu stuffed with too many adjectives and too many ingredients elsewhere it can be all but inedible. I am not saying you can never eat well outside London, of course you can; and to show my regionally correct sincerity I declare I'm desperate to visit Nick Nairn's Braeval in the back of the Hibernian beyond. Generally, however, culinary prospects are dismal out of central London. (I once tried to get a cheese sandwich in Somerset. There I was, driving around the county where cheddar is made and all I could get were damp squares of pappy white bread smeared with marmite and tasteless plastic cheese.)

This first, pre-eminent, confusion leads me to the second. We confuse the particular few with the general many. That is to say,

because we have, as M Conil remarks, Marco Pierre White and Gary Rhodes (I'd throw in Gordon Ramsay and Alastair Little while we are counting home-grown blessings, and there are a few more too) we presume the general level of cooking in this country to be higher than it is. It is undoubtedly the case that we have very many good restaurants and that there is a growing number of homes in which food and cooking are reckoned important, but it is just as true that we consume an ever-increasing number of microwave meals and dinners bought from the chill-cook cabinet.

I don't doubt it that there is an enormous interest in food now in this country. What I question is how much of society this interest permeates or, indeed, how far, culinarily speaking, this interest takes us. You don't measure a nation's culinary health by judging its professional kitchens, but by looking at how ordinary people eat at home. France may have earned its gastronomic reputation by its Michelin-starred restaurants, but the heart of its cuisine is learnt at Maman's, or Grand-maman's knee.

And if there is a decline in restaurants in France it is not so much, as M Conil, sadly declares, that the great chefs can't afford the ingredients that would do justice to their talents (we do know, after all, about bad workmen and so forth) but that sons and daughters won't work for nothing in their parents' restaurants any more, so those cheap but extraordinarily good family establishments are going by the board. It is that culture that is dying out.

Food and cooking have improved here, but it is still the case that the produce is very much better in, say, France or Italy. I am not talking about luxury commodities (everything is available everywhere now) but about everyday fruit and veg. What is more, people are not really prepared to pay for food to be better. I'm not talking about people who can't afford more, but those who could. When I interviewed that passionate fishmonger, Steve, half some years back, he told me that so much of our best fish went abroad because no one here would pay what it costs in the shops. And all the time, independent butchers are going out of business because people would rather buy plastic-wrapped, fat-trimmed, tasteless meat from the supermarket. Good produce isn't cheap — but you can't eat well unless you get good raw ingredients and that is the end of it.

Having read M Conil's comments a little more closely, I see that money is, in some part, the motivation behind them, too. It is so hard to make a living out of cooking well that it is hardly surprising if most chefs are obsessed with making money, when so few of them ever will. Anton Mosimann once wrote movingly of his horror at the widow of a great chef having to sell his knives to survive. So it is to be expected that M Conil's real admiration lies in the entrepreneurial flair of the British chef. He notes how many make money and, more, how many become millionaires.

I don't want to be a party-pooper and praise is of course gratifying, but we should not allow ourselves to be patronised into a state of such unjustified complacency.



Nigella Lawson

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## Alan Coren



## Can I take out a contract on Martin Amis?

Mortified? Yes, a little, how could I not be. I am only flesh and blood, but it is professional flesh and blood, and its mortification is thus mitigated, willy-nilly, by that gobsmacked admiration which mere toilers in the vineyard cannot but feel for a master winner.

I refer, of course, to the latest *coup de foudre* by Martin Amis, who, just when we thought all the bets were down, the laurels browned, the medals struck, the 't's crossed and the 'i's dotted on another year of major literary achievement, has once again sprung into the lists at the very last moment of the eleventh hour and shot straight to the top of the 1996 honours board with a masterpiece of contracting so original, so daring, so brilliant, as to leave all others at the post. Unquestionably, his new million-plus four-book deal with Jonathan Cape is the contract for this Christmas: I have spoken to almost every serious bibliophile in the country, to publishers, agents, PR men, financial managers, lawyers, marketing advisers, distributors, franchisers, independent film and TV producers, personal fitness consultants, and their consensus is total — if you were going to curl up with just one contract this Christmas, Martin's was the one to curl up with. Though each interviewee had already nominated his Literary Achievement of the Year — some had plumped for Nick Leeson's beautifully constructed deal with Little Brown, others had chosen Joan Collins's superb Random House courtroom drama, several had once again been bowled over by the range and inventiveness of Delia Smith's adroit mix of tie-in and spin-off, and not a few had been forced to admire the sheer in-your-face chutzpah that the Duchess of York had managed to introduce into some of her sub-clauses — all now conceded that the knee had to be bowed before the creative genius of Mr Amis in getting himself out of a mere half-million two-book contract with HarperCollins and into a one-million four-book contract with Cape, notwithstanding the failure of the first book of the first contract to recoup its advance. It has confirmed his status as this country's most innovative negotiator. It has made him the envy of all.

Certainly of me. I had a contract out this Christmas, but, despite the fact that it was my 32nd, it stirred no interest at all. What am I doing wrong? Everything, I have just read it again, and it is as dead as a cliché. Its advance is so modest as to make nobody jealous, and, thanks to recouping that advance, it has made nobody angry, either. It does not have a single controversial clause — insisting, for example, that the party of the first part, hereinafter referred to as The Author, retain all the overnights or star in any mini-series The Work may generate or refuse under pain of prosecution to identify any royal personage or serial axe-murderer portrayed in said Work — and the closest it gets to originality appears to be a scribbled jottings replacing a line of small print to the effect that, after 1997, the publisher washes his hands of any responsibility as to whether the new proprietors of Hong Kong will honour international copyright agreements. I suppose I could have stormed into my publisher's office and kicked up a fuss about that, but I beg leave to doubt that the row would have made the headlines.

But I shall know better next year. Around June, I shall put together a crack team of top-flight literary agents, intellectual property lawyers, international accountants and other literary grandees, who will work day and night on the plot of my latest contract, a work of such depth, breadth, subtlety, character and mould-breaking brilliance as to whet the bibliophilic appetite to distraction. Tantalising snippets of the work in progress will leak into the world's press, a gobblet concerning a billion-Deutschmark deal with BMW here, a hint of Mossad involvement there, rumours of the peerage I require before starting volume three, snapshots of the Van Gogh I require before finishing volume four, early drafts will be stolen, repudiated, litigated over, until, finally, just before Christmas, the finished work will be ready. Whereupon a special signed edition of 500 morocco bound contracts, a hardback print of 100,000, and a million paperback will simultaneously be published, to the unbridled joy of all who care about good books.



## Hero of the last horizon

Most gurus are frauds or fanatics, but Laurens van der Post was the real thing

No man was so easy to debunk as Laurens van der Post. In 1987 he took the Prince of Wales on a proto-Jungian safari in the Kalahari Desert. They communed with the collective unconscious.

They were said to have discussed the oneness of humankind, the bridge of faith and the decay of urban society. A native hunter had once told van der Post that "should the whole human species vanish from the planet tomorrow, there would not be a plant, bird, insect or animal that would not breathe a sigh of relief". It was a seminal moment, the prince and the guru glorying in the unverifiable.

Van der Post, who died two days ago, was a delightful, egotistical romantic who craved membership of King Arthur's Round Table. Like many immigrants, he was a fanatical patriot. And as with many who are cursed to live in interesting times, war and colonialism drew from him great strengths and some weaknesses. He saw no point in dwelling on the weaknesses. "Egos have an honourable role in life," he said. As the chrysalis of the soldier-journalist fell away, the world took possession of a fully-fledged mystic. He was God's gift to British cynicism.

I met Laurens van der Post only once. He was pressing, among other things, the claims of Chief Buthelesi to the leadership of South Africa. A friend asked me afterwards the standard guru question: "Were you for or against?" It was a question I could not readily answer. Van der Post seemed true to his image, a charismatic man whose life had been a sequence of experiences and thoughts not always in the right order.

He had survived the war in a theatre, Java, that lent itself to his leadership qualities. I believe his most vivid contribution to the legacy of war was not his oft-remembered bravery (glamorised in David Bowie's *Happy Christmas Mr Lawrence*) but his awareness of the need for forgiveness. He talked and wrote constantly of the meaninglessness of hatred, the necessity of living with a new Japan. Those who have never fought a war, who forget how repellent an enemy Japan appeared at the time, may not realise the boldness of van der Post's stance. He affirmed a common humanity which later charges of fantasy and boastfulness cannot dim.

This was a conventional tale of a war hero and conciliator. Van der Post's life took a more eccentric turn. It was that of

the classic guru, noted by Anthony Storr in his book on the guru, *East of Clay*. A traumatic confrontation with death was followed by a retreat into the wilderness. Van der Post went from Java to the desert, where he relates that a kudu at a waterhole revived memories not just of his own childhood but of the childhood of man. "My God, I am back home," he cried. He was like Crusoe confronting Man Friday's footprint. He returned to civilisation to warn it of impending catastrophe. He saw a flower on a bomb-site and asserted that salvation lay in the rhythms of nature, fixed in the memory of the Bushmen but lost from that of London.

Van der Post enjoyed all Storr's qualifications for gurdut, including magnetic charm. He had long blond hair, blue eyes and a strong nose. He talked softly and well. His egotism was untamed by the need to immerse himself in any group. Van der Post's idols, Mountbatten, Jung, Churchill, de Gaulle, Thatcher, were treated as unritually as many appeared to treat him. His intellectual self-confidence was unshuffled by formal education. His assertions on history, conservation and anthropology were naive and had no academic foundation. His relentless dualism — East and West, masculine and feminine, great memory and small memory, country and city — was devoid of rigour. As for Java, as Ian Buruma pointed out when reviewing van der Post's memoir of his time there, it was ludicrous to treat all Dutch as villains and all British as heroes.

Yet no sceptic wins an argument with a guru. The latter smiles sweetly and replies, "I know you don't." About Africa, van der Post did know. He may have encountered no more than a handful of real Bushmen, but these yellow-skinned, pot-bellied people were for him a metaphor. After the wilderness and the vision, came the message. His message, of the noble savage and salvation through nature, has sold well since Defoe. It sells particularly well today.

Simon Jenkins

Nature is good and cities are evil. All gurus advise their followers to avoid them. Urban living, said van der Post, was like war. It denies the Jungian collective consciousness. It detaches us from our dependence on nature. It snaps the twig from the twisted tree of humanity. This view brooks no argument. Gurus do not invite discussion, only an audience. But that does not necessarily nullify their message. Yesterday I reread the opening three chapters of *The Lost World of the Kalahari*. It is a brilliant account of the damnation of innocence. The book does not romanticise the Bushmen, it merely recounts one man's obsession with their story.

Van der Post was fascinated by a people living at the limit of human evolution. The Bushmen could fill their small bodies with sustenance like camels and run for days. Their flat-topped buttocks were huge with stored fat, their penises always erect, their eyes Mongoloid, their yellow skin impervious to the hottest sun on earth. A Bushman could



Laurens van der Post

detect water from 20 miles by reading moisture in the sky. He danced and recorded his daily round on painted rocks, instilling in van der Post "an almost unbearable nostalgia for the vanished painter and for the spirit that possessed him". Here was a voice from the beginnings of man. It is impossible not to be moved.

Just as van der Post had pleaded with his contemporaries to understand and tolerate the Japanese after the war, so he pleaded for tolerance towards these Stone Age people. Of course their case was hopeless. They had adapted to the harshest environment of necessity. Like the primitive tribes of Borneo and Amazonia, nothing could save them from eventual assimilation and extinction. Their click-language flashed from their lips "like a sparkle of sun on a burst of flower", but it would die along with their habits and skills. Meanwhile we too are presumably mutating, to the perils of city life. We may not be able to run a hundred miles or extract snake venom to daub spears, yet our survival looks more assured than that of the Bushmen.

Van der Post seemed to recoil from this thought. But he did not just idealise the Bushmen; he used them to champion the diversity of human beings and the fragility of their dependence on nature. He led the movement to record, understand and, when they wish for it, protect endangered peoples. This was not nostalgic paternalism. Van der Post's exegesis of the Bushman way of life was based on his belief that we must retain some practical relationship with the past if we are not to fall victim to the future. He believed in history. He warned constantly against "a society which has lost its memory". The warning applies as much to the built environment as to the natural, to what he termed our small memories of yesterday, as well as our great ones of the Stone Age.

By insisting that we tolerate the diversity of human groups, van der Post felt he was guarding human universality. As a South African he was a passionate pluralist. In some hands, the message might be banal. In his it was exhilarating. He opened *The Lost World of the Kalahari* with a quotation from Roy Campbell: "Pass World! I am the dreamer that remains. / The man clear cut against the last horizon." Laurens van der Post was that dreamer. He never lost sight of the horizon.

## Mr Blair's subversive idea

School takeovers let parents choose, says

Robert Skidelsky

As one who has tried, and so far failed, to persuade the Conservatives to take parental choice seriously, I was fascinated by Tony Blair's speech on education at Ruskin College, Oxford last Monday. Much of it was orthodox Labour Party stuff — "greater powers for local authorities", "improvement plans" with "targets" and "clear criteria", "expert advice and intensive support", and so on. But in the middle of this dismal list was a discordant, and subversive thought: head teachers of successful schools should be allowed to take over the leadership of failing schools.

Stated thus, it is a gimmick, and I am surprised that Mr Blair introduced it in this unpersuasive way. The important thing is to reproduce a successful school, not have a successful head teacher running several schools. This is best done by allowing a successful school (or possibly an educational trust from the private sector) to take over a failing school and appoint a new leadership team committed to effective school practices. If anything survives of Mr Blair's proposal under a Labour government, it will be in this form, rather than in his original version.

Nevertheless, his idea is subversive because it suggests a mechanism for reproducing successful schools which does not depend on ever-increasing bureaucratic control over the school system. It is clearly modelled on business practice. Firms compete for custom. A successful firm increases market share; other firms learn from its example. It forms partnerships; it acquires and reconstructs failing firms. It is through this mixture of competition and co-operation that success is "reproduced" in business life, not by a flood of injunctions and regulations.

A regulatory framework is as necessary in education as in business. But it is a profound mistake to believe that it is through regulation that the heights are scaled. The importance of Mr Blair's subversive idea lies precisely in this recognition. It breaks free from the strategy of trying to force schools to raise their standards by strangling them with red tape.

What does all this have to do with parental choice? For an answer we must turn to today's Audit Commission report, entitled *Planning and Supply of School Places and Parent Satisfaction*. The report argues that parents are being allowed little genuine choice when it comes to their children's education: 20 per cent of children are not able to attend their "first choice" school, and there is a low level of satisfaction with the choices parents are allowed to make. These conclusions are not surprising, if choice is to be real, popular schools must be allowed to expand. If they are not, two things are bound to happen: the oversubscribed schools will become increasingly selective; and a proportion of children will be allocated to undersubscribed schools. This is what has happened.

The Department for Education has always argued that "good" schools cannot be allowed to expand while there are "surplus places" in other schools. No doubt there are too many school places in aggregate, due to demographic changes — though any system of choice requires some slack. But surplus places overall are not the main problem. More important is the fact there are too many places in unpopular schools, and too few in popular ones.

This is where Mr Blair's subversive idea comes into its own. Popular schools should be allowed to expand by taking over unpopular ones, guaranteeing parents the quality of education they are looking for. A school is not the same as its buildings. To eliminate surplus places one does not always have to close down buildings — just make unpopular schools popular.

The Audit Commission is right to say that the education system is in gridlock because opted-out, or grant-maintained, schools are no longer part of LEA planning systems. They are set to become the new generation of selective schools. The answer is not to reincorporate them into the planning system (Labour's traditional idea) but to free local authority schools to match supply to demand (the kernel of Mr Blair's subversive idea). Provided there are enough popular places — which is a function of both the number of places and the number of successful schools — the state system cannot be unduly selective, any more than the independent sector is. In other words, there should be a rough balance between the supply of places offered and the number of places parents want to take up. This is true of the independent sector overall: it is not true of the state system.

The weakness of John Major's Conservatism has always been its hostility to ideas. Now it has run out of ideas entirely. In education it has never had anything one could call a strategy. It has never made up its mind whether it wants a system based on parental choice or one controlled from the centre. No more than tit-for-tat can be expected of Mrs Gillian Shephard in the dying days of this Government. Yet it is all a great pity — because a system of parental choice fits much more naturally into Conservative than into Labour thinking. It might have been the Conservative Party's "big idea". For the time being, we shall have to see what Labour makes of Mr Blair's subversive idea.

The author takes the Conservative whip in the House of Lords.

## Love again

WINTER in Rome and the setting is fair for the renewal of one of Europe's great unrequited love affairs: between Prince Albert of Monaco and the model Claudia Schiffer. Neither was ever likely to score heavily for their pub quiz team, but for a while they seemed perfect together. Their friendship mirrored that between Prince Rainier and Grace Kelly, Albert's parents.

Then they were separated while the short, hairy American magnate, David Copperfield, entered then left Miss Schiffer's life with

his card-tricks and baubles. Today, however, Prince Albert visits Rome and the Vatican with his father to celebrate the 700th anniversary of the Grimaldi dynasty. Miss Schiffer is also in town. The Italian press are gurgling with anticipation, as it is widely expected that she will be Albert's date at a gala dinner today.

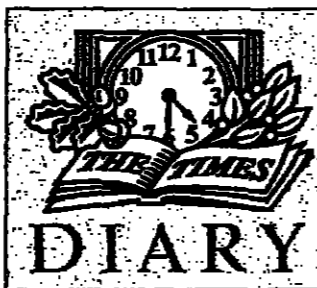
Absent from the Grimaldi party will be the Princesses Caroline and Stephanie, who have had an uneasy relationship with the Vatican on account of their colourful personal lives. As the Monegasque Embassy in London explained, "they just did not want to go."



Claudia and Albert: on again?

## Choc-a-bloc

THERE is more to the success of Ferrero Rocher chocolates than those terrific "at the ambassador's parties" television commercials. Unceasing prayer to Our Lady of Lourdes by the Ferrero family has ensured that their chocolates have crept up alongside fir trees, walnuts and woolly-scarved wassailers in British Christmas tradition. This, at least, was the explanation offered by the head of the family, Michele Ferrero, at the party for



the 50th anniversary of his company. The role of "the ambassador" at the bash was intriguingly filled by Professor Ralf Dahrendorf, Warden of St Antony's College, Oxford.

## Rare indeed

APOLOGIES have gone out on behalf of two of the country's leading chefs, for making a mess of the World Jewish Relief Fund dinner earlier this month. The fund had hired Raymond Blanc and Albert Roux to cater for 400 at the Imperial War Museum. A kosher chef was on hand, but when the lamb came out, *horreur!* — it was too pink and had to be sent back. The two chefs appeared on the podium to apologise, and over the sound of heckling promised, "next time the lamb will be medium". Ashley Mitchell, chairman of

the fund, has just written to all the diners: "I hope the problem with the food did not spoil your evening." Over at Blanc's joint, Le Manoir aux Quat' Saisons, they said: "Monsieur Blanc had responsibility only for the starters."

Radio Four has announced its Reith lecturer for next year: Patricia J. Williams, Professor of Law at New York's Columbia University. She will be talking about race. Among her qualifications is the fact that she is the "great-great granddaughter of a slave and a white Southern lawyer". At



"Why does she still call me Brian? Can't she see I've had a sex change?"



Christmas cards from the Clarkes and from the Hart

the bottom of the release about the BBC's intellectual jewel, we are informed that "The first Reith Lectures were given in 1948 by Bert Russell."

## Telling all

CHRISTMAS CARDS arrive from the Left and Right of the Tory party. Ken Clarke and his wife Gillian have chosen an impish drawing of David Lloyd George, the famously independent-minded Chancellor and Prime Minister. Inside are a few anecdotes about Lloyd-George which may relate to Clarke's own recent party troubles. "On being asked how he maintained his cheerfulness when beset by numerous political obsta-



cles," reads the card, "Lloyd George responded: 'Well I find that a change of nuisances is as good as a vacation.'"

David Hart, wealthy consigliere to Michael Portillo and the Tory Right, goes for the devil eyes motif. Inside is the caption: "Old adviser, New Danger."

Today Jack Straw addresses the Institute of Public Policy Research, the Labour think-tank. Tickets to hear him cost £45. Last week, Gordon Brown and David Blunkett spoke there. Tickets cost between £170 and £300. "No reflection at all on their comparative worth," pleads the institute.

P.H.S





## OBITUARIES

## QUENTIN BELL

Quentin Bell, artist and author, died on December 16 aged 86. He was born on August 19, 1910.

The second son of Clive and Vanessa Bell, Quentin Bell was born into the heart of the Bloomsbury Group. In the year of his birth Roger Fry, his mother's intimate friend, was championing the first Post-Impressionist exhibition. Raised among painters, critics and writers — his mother was the sister of Virginia Woolf — Bell assumed from an early age that he, too, would be an artist.

Quentin Claudian Stephen Bell was brought up in Gordon Square in Bloomsbury and in Sussex. In 1916 Vanessa Bell took a lease on Charleston Farmhouse, near Fittle. At first it was used for family holidays but later it became a permanent home.

At Charleston she established a stable, if unorthodox, household, shared with fellow-painter Duncan Grant (the father of Bell's sister Angelica) and, at different times, other members of the Bloomsbury Group and Grant's homosexual lover. With his elder brother, Bell as a child produced a family newspaper, the *Charleston Bulletin*, which charted domestic events; Virginia Woolf contributed.

He was educated at Peterborough Lodge, a preparatory school at Swiss Cottage, to which he went as a day boy from 46 Gordon Square, and at the Quakers' Leighton Park, after which he studied painting in Paris and Rome.

By the early 1930s he was an active Labour supporter and an equally active disrupter of Fascist rallies, in which he was aided by his considerable height and bulk. His aunt Virginia described him as a young man as being "very burly and male", and like a red and white sheep dog. She thought he had "all Nesses's sense, and Clive's shrewdness". His eyes were very blue, and his red-gold hair, according to an elderly Duckworth relation, like "a bed of Zinnias" (in his old age, less burly and with a full white beard, he looked like a clever, kindly Father Christmas).

In 1933 Bell suffered from a tubercular infection which necessitated a convalescence in Switzerland. On his return he studied pottery with T.A. Fennimore at Stoke-on-Trent and had a kiln built in the

pumphouse at Charleston. Politically, he shared Fennimore's support for industrial art — Vanessa, Duncan and even the young Angelica contributed to Fennimore's series of artist-designed tableware for Foley China — but he returned ultimately to the Bell-Grant celebration of the handmade. He threw shapes for decoration by his mother and Duncan, and, in later years could not always distinguish between their hands and his own.

Bell then divided his considerable energies between painting, pottery and politics. In 1930 he had exhibited in a mixed show at the Mansard Gallery on the top floor of Heals's in Tottenham Court Road, and had an exhibition of collages in Cork Street in 1935.

He designed posters appealing for medical aid for Spain during the Civil War, and with his mother visited Picasso in his Paris studio — where they saw the as yet unfinished masterpiece *Guernica* — to invite him to London to appeal for aid for the children of Bilbao. Bell's elder brother Julian was killed in Spain working for the ambulance service on the Republican side.

Bell, unlike many of the members of Old Bloomsbury, was not a conscientious objector. He was rejected by the Army on account of his history of tuberculosis. During the Second World War he worked as a farm labourer for Maynard Keynes at Tilton. From 1941 to 1943 he was a member of the Political Warfare Executive.

The life-sized effigy of Hitler burnt on Fille Beacon at the end of the war was his handiwork. Also during the war he collaborated with Vanessa Bell, Duncan Grant and his sister Angelica on the decoration of Berwick church, two miles from Charleston. His contributions were the six small panels representing the sacraments on the inside of the chancel screen, and *The Wise and Foolish Virgins* over the chancel arch; later, he did some murals and the altarpiece.

In 1947 Bell published his first book, *On Human Finery*, about fashion in dress — a subject that was to extend into a lifelong consideration of changing tastes and fluctuating regulations in art.

In 1951 he published *These Impossible English* (with Helmut Gerstheim), and married Anne Olivier Popham. The following year he



became a lecturer in Art Education at King's College, Newcastle upon Tyne, where Lawrence Gowing was then Professor of Fine Art.

In spite of having had no academic training himself, Bell moved on to university posts of increasing illustriousness. He was Professor of Fine Art at the University of Leeds, 1962-67; Slade Professor of Fine Art at Oxford, 1964-65; and Ferens Professor of Fine

Art at the University of Hull, 1965-66. In 1967 he moved back to his home territory as Professor of the History and Theory of Art at Sussex University, a post he held for ten years, living with his family at Cobbe Place, Bexhill-on-Sea. When Cobbe Place finally became impracticable, the Bells moved to their last home, in Fille Beacon. The last major show of his own work was in 1986. He

never stopped painting, potting and writing. He published *Roger Montagne* in 1961; *The Schools of Design and Rustin*, both in 1963; *Victorian Artists* (1967); *Bloomsbury* (1968); *A New and Noble School* (1982); *Techniques of Terracotta* (1983).

His novel *The Brandon Papers* typified his humour and versatility. It starts with an inquiry into the death of a titled lady and develops into a full-blooded Gothic melodrama.

Just before the Second World War, during an evening of amateur dramatics at Charleston, the young Quentin Bell dressed up in a frock, fur coat and lipstick, to act the part of a guide showing a party of American and French ladies round the house in the year 2036. The cult of Charleston did not take so long to establish itself as that. The Charleston Trust, of which he was the first chairman, opened the house to the public in 1986.

Living all his life under the shadow of Bloomsbury, Bell was the curator, and to some extent the creator, of its growing legend. At Leonard Woolf's request he undertook the biography of Virginia Woolf — no easy task for a nephew — which, published in two volumes in 1972, won both the James Tait Black prize and the Duff Cooper memorial prize. His wife Oliver is the editor of Virginia Woolf's diaries. They have documented Bloomsbury with scrupulous care and respect.

Although always courteous, he was rightly impatient of worshippers at the Bloomsbury shrine who came "to ask what Virginia had for breakfast". But he was welcoming and generous to those who shared his irreverent enthusiasm for art.

For Bell, as for Roger Fry, the purpose of art was to communicate joy. He enjoyed throwing and experimenting with the clay and with the decorative possibilities of robust but humble shapes such as mugs or tea-pots, and rather despised the lack of frivolity in the "prim and proper" pots made by Bernard Leach's followers.

He believed that a certain carelessness betrayed the vitality of the maker and saw nothing wrong with the vulgarity of adding a slap of gold to enliven the pot. Despite the sophistication of his writings and teaching, pottery remained for him "rather a lark" and he rather liked it.

During the 1980s, Bell received technical assistance from the Fulham Pottery, making both domestic wares, exhibited at Liberty's and other London galleries, and larger commissions such as a fountain for a Sussex garden. The Fulham Pottery also made hand-painted ceramics for Laura Ashley's "Bloomsbury" range to his designs.

He expressed his more private thoughts in the medium of sculpture: those who had seen the huge levitating lady who defied gravity in the garden at Cobbe Place — another cast graces the campus at Leeds University — or the romantic and sexual fantasies expressed in his painted terracotta groups and figures, were hardly surprised at the dark undertones of that late novel, *The Brandon Papers*.

For a long time it seemed as if the world would be deprived of his own memoirs, but in 1995 he filled that gap with his volume of reminiscence, *Elders and Betters*. His penultimate book *Bad Art* (1989) — a collection of his lectures, essays and articles — also contained a lively autobiographical chapter. In his earlier years he wrote a good deal for the *New Statesman* in Kingsley Martin's day and for *The Listener* during the celebrated reign of J.R. Ackerley as its literary editor.

Quentin Bell is survived by his wife Oliver, whom he married in 1952, their two daughters and a son.

## RUBY MURRAY

Ruby Murray, Irish singer, died from bronchial pneumonia and liver cancer yesterday aged 61. She was born on March 29, 1935.

IN THE ephemeral world of popular music, Ruby Murray was a phenomenon who earned her place in the *Guinness Book of Theatrical Records*. A singer whose simplistic style disguised skilful phrasing and far greater vocal resources than her appealing huskiness suggested, she achieved massive popularity at the start of her meteoric career, when five of her recordings were simultaneously in the Top Twenty for three months at the beginning of 1955.

One of them, the haunting *Softly Softly*, went to No 1 and became her indelible signature tune for the rest of her life. Her feat remains a world record, equalled since by Elvis Presley and Madonna, but unsurpassed by even the Beatles.

Ruby Florence Campbell Murray was born at 84 Mollack Street, Donegal Road, Belfast, the youngest of four children. She gave her first public performances as a child in amateur concerts presented by her father at the Ulster Hall. One of these was seen by the British television producer, Richard Aton, who booked her for her professional debut, aged 12, on Irish television.

After leaving school at 14, she worked in a bakery, a handkerchief factory and a sweet shop before touring Northern Ireland in the variety show, *Top Flight Stars*. At 14, she appeared at the Glasgow Pavilion in the summer season revue, *Mrs Mulligan's Hotel*, returning home to tour Northern Ireland again in a hired lorry in *Holiday Express*.

At 16 she was chosen as the singer for a revue touring the Republic of Ireland, *Yankee Doodle Blarney*. In June 1954, she toured in London at the old Metropolitan Music Hall, in Edgware Road. Richard Aton, looking for a singer to replace Joan Regan in his BBC television series, *Quite*

*Contrary*, offered her the job at £100 a week, six times what she was earning at the time.

The British record producer Ray Martin saw Murray's first television show and at once signed her for a recording contract on the Columbia UK label. Her first release, *Got Well Soon*, was not a big seller, but her second, *Heart-beat*, went straight to No 2 in the charts. It was followed by *Softly, Softly*, which went to No 1. A wistful love ballad sung with her inimitable Irish



lilt and that husky catch in her voice, it personified the vulnerability and innocence that made her unique among the popular singers of the 1950s.

Three more hits joined the first two in the Top Twenty: *Happy Days and Lonely Nights*, which went to No 4, *If Anyone Finds This I Love You* to No 5, and *Evermore* to No 6. Signed up by Bernard Delfont's agency, she started to pack theatres all over Britain, and in August 1955 opened at the London Palladium in *Painting the Town*, which co-starred Norman Wisdom.

During the seven months' run she appeared before the Queen in the Royal Variety Performance. Later, on her arrival in the United States, she was astonished to find herself mobbed by hysterical crowds and to be told by Frank Sinatra that he was her greatest fan.

In 1956 she sang *You Are My First Love* in the John Mills film, *It's Great to Be*

*Young*, and then co-starred with Frankie Howerd and Dennis Price in the screen comedy, *A Touch of the Sun*, in which she gave a refreshing and totally natural performance as a singing hotel chambermaid.

She proved that she could dance as well as she sang when she appeared on television with Tommy Steele in *The Golden Year*. She also starred in pantomime, playing the title role in *Cinderella* and principal girl in *Babes in the Wood*, *Dick Whittington and His Dogs*.

In August 1957, while appearing with Tommy Cooper in Blackpool, she married Bernard Burgess of The Jones Boys harmony group. They were to have two children and were to co-star in a nationwide tour of *Snow White and the Seven Dwarfs* in 1962. But the marriage came under increasing strain because of Murray's dependence on alcohol and warring, and Burgess was wounded to learn of his wife's infatuation with a married man, the Irish comedian Frank Carson, an episode bleakly reflected in her dramatic recording, *I'll Walk the Rest of the Way*.

By 1970, when Murray, then 35, re-entered the British charts with *Change your Mind*, there was no disguising the extent of her drinking. When she and Burgess were divorced in 1977, he won custody of their children and also retained Rectory Cottage, their 17th-century home at Wootton in Northamptonshire. The last 20 years of her life were spent with the former stage dancer and theatrical impresario, Ray Lamar, with whom she lived in Torquay. They were married in 1993.

Although her later appearances were often undermined by health problems, she never gave up her fight to conquer her illness. In 1985 she received a prolonged ovation when she appeared before the Princess Royal in *Forty Years of Peace*.

Both her husbands were at her hospital bedside, with her son — the singer Tim Murray — and her daughter Julie, when she died.

## BRIAN TETLEY

Brian Tetley, journalist, died on November 23 aged 62. He was born on July 12, 1934.



BRIAN TETLEY died with his longtime friend and colleague, the award-winning cameraman Mohamed Amin, on the hijacked Ethiopian Airlines flight that crashed off the Comoros Islands last month. Inevitably, his death has tended to be overshadowed by that of the better-known Amin, but Tetley was, in fact, one of Africa's most colourful and eccentric characters.

He was mourned in his beloved Kenya as a hero, feared by many in Government, the Civil Service and journalism, all of whom acknowledged their personal and professional debt to one they regarded as "the best man in Africa".

Brian Harrison Tetley was born in Birmingham. His mother died when he was ten and his father sent him and his older brother, Peter, to the Stanley House School in Birmingham. The younger brother remembered it as a "draughty, miserable, God-forsaken place from which I couldn't wait to get out".

His parents had moved from Manchester to Solihull in 1931 and then into Birmingham to expand their engineering business — but Tetley displayed no inclination to go into the family firm. Instead, at the age of 15, he left school to join the *Birmingham Gazette* and *Despatch* as a copy boy. It was the beginning of what was to become a lifelong obsession with a profession he was to decorate with a wit and a generosity of spirit seldom equaled.

Apart from his National Service, which he recalled as "undistinguished", Tetley worked in newspapers, magazines and television on two continents and will be remembered as an impetuous, compulsive journalist of the hard-living, hard-drinking school. Asked by one newspaper editor if he had a drinking problem, Tetley replied: "Yes, I just can't get enough of it." Almost every barman, taxi driver and street vendor in East Africa knew the dishevelled Tetley as Mumbo, "Mambo Gichuki" was the Kikuyu pen name he used to sign off his "Mambo", "Dear God" and "Off the Wall" columns that enchanted generations of African readers.

His colleagues knew him as a consummate ideas man who had graduated from a tabloid background — in Britain, he was reputedly a co-creator of Reginald Smythe's Andy Capp cartoon character in the *Daily Mirror* — to become a witty and prolific writer.

He first came to Africa in

1965 to help train Kenyan journalists but stayed the rest of his life in a country he came to love as his own. He held court at all hours, enrapturing his students, in the aptly named Sans Chique bar behind *The Daily Nation*.

Tetley was the first reporter fearlessly to expose the mass killings of Idi Amin's regime after Amin seized power in Uganda in 1971. He wrote eyewitness accounts for *The Observer* of corpses thrown to the crocodiles at Jinja. No one believed him at first. Idi Amin had been seen by many in Britain as a great improvement in every way on the despotic socialist Milton Obote.

After editing publications as diverse as Nairobi's *Sunday Post* and the comparatively modest Kenyan version of *Men Only* magazine, Tetley went on to write classic African travel books, including *Travel Through...* series, *On God's Mountain and Cradle of Mankind*. In these his eloquent prose was matched by Mohamed Amin's breathtaking photographs.

Some 600 mourners of every age, religion and colour attended his funeral in Nairobi last week — from the old white settlers and friends to clothed-and-Somali and ordinary street people. He was buried with two bottles of his favourite Tusker lager inside his coffin. Tetley would have enjoyed that, as he would have the presence of three ex-wives alongside his widow. He was married twice in Britain where he is survived by three adult daughters — and at least five times to Africans, by whom he had no children.

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## DEATH OF MRS. GARRETT ANDERSON.

THE FIRST ENGLISH WOMAN DOCTOR.

We regret to announce that Mrs. Elizabeth Garrett Anderson, M.D. died at Alderbury, Suffolk, yesterday. She was 81 years old.

Mrs. Garrett Anderson was one of the pioneers at that phase of the movement for the "emancipation" of women which aimed at throwing open to them the profession of medicine and was herself the first woman to secure a medical diploma in this country. Elizabeth Garrett, known after her marriage as Mrs. Garrett Anderson, was the daughter of Mr. Newton Garrett, of Alderbury, Suffolk, and was born in London in 1816. Her attention was attracted to medicine by Miss Elizabeth Blackwell, an English woman who had emigrated with her parents to the United States and after many fruitless attempts to enter various medical schools there, was permitted to graduate M.D. of the University of Geneva, U.S.A., in 1849. Ten years afterwards, on the strength of this foreign qualification and of her having prescribed for friends during a visit to England, she was put on the British Medical

## ON THIS DAY

December 18, 1917

Elizabeth Garrett Anderson (1836-1917) had to fight long and hard to achieve her ambition to secure an English medical diploma and become a doctor.

Register so that, while as already stated, Miss Garrett was the first woman to secure an English diploma, Miss Blackwell had preceded her as regards registration. Miss Garrett made Miss Blackwell's acquaintance and resolved to follow in her friend's footsteps but to get an English qualification instead of a foreign one. She began her medical studies in earnest in 1860. There were, however, two great difficulties before her. In the first place, there was no school where she could be received, and in the next place, there was no examining body willing to admit her to its examinations. At Middlesex Hospital the

male students presented a memorial against the admission of women, and though she made repeated attempts elsewhere, she met for some years with effectual repulse in every direction.

After a time the Society of Apothecaries was advised by its counsel that as the purpose of its charter was to enable it to sell drugs, and as there was no legal ground for refusing to allow a woman to sell drugs, the society could not refuse to admit a woman to the examination imposed on candidates for its licence. Thereupon the society authorized Miss Garrett to get her education privately from teachers of recognised medical schools and finally gave her, in 1865, the desired qualification of L.S.A. In 1866 she opened a dispensary near Lisson-grove, Marylebone, for the benefit of poor women and children, and for some years she was the only medical officer there. There was no medical school in England that would admit women but medical degrees were to be had abroad: Miss Garrett herself passed the examinations and took the M.D. of Paris in 1870 and, others taking similar steps, she secured assistants at her dispensary which was subsequently converted into a small hospital and after various changes developed into the "New Hospital for Women" in the Euston-Road.

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NEWSPAPER WARS - THE WINNERS AND LOSERS

DAILY TITLES

November 1996	Average Daily Sale	Change since Nov 1995	% +/-
THE SUN	3,939,697	-138,205	-3.34%
DAILY MIRROR	2,361,840	-130,645	-5.24%
DAILY EXPRESS	1,177,578	-75,233	-6.01%
DAILY MAIL	2,086,875	192,433	10.19%
DAILY STAR	658,783	-8,111	-1.22%
DAILY RECORD	711,862	-42,570	-5.64%
TOTAL POPULAR	10,936,235	-200,331	-1.80%
THE TIMES	861,931	189,410	28.16%
*DAILY TELEGRAPH	0	0	0%
THE GUARDIAN	402,844	-1,606	-0.40%
THE INDEPENDENT	261,050	-32,727	-11.14%
FINANCIAL TIMES	297,806	-8,112	-2.65%
TOTAL QUALITY	1,823,831	-905,375	-33.18%
GRAND TOTAL	12,759,866	-110,5706	-7.97%

SUNDAY TITLES

November 1996	Av. Sunday Sale	Change since Nov 1995	% +/-
NEWS OF THE WORLD	4,506,779	-114,069	-2.47%
THE PEOPLE	2,003,688	-32,974	-1.62%
SUNDAY MIRROR	2,371,209	-106,939	-4.32%
SUNDAY EXPRESS	1,156,854	-176,050	-13.21%
MAIL ON SUNDAY	2,119,631	99,148	4.91%
SUNDAY SPORT	260,328	-22,259	-7.86%
TOTAL POPULAR	12,418,489	-353,143	-2.77%
SUNDAY TIMES	1,413,084	132,039	10.31%
OBSERVER	467,548	-15,951	-3.30%
*SUNDAY TELEGRAPH	0	0	0%
INDEPENDENT/SUNDAY	279,850	-47,676	-14.56%
TOTAL QUALITY	2,160,482	-608,702	-21.98%
GRAND TOTAL	14,578,971	-961,845	-6.19%

# Newspapers at war

## PAPER ROUND

Brian MacArthur



Rarely has the in-fighting between two major newspaper groups been so fierce as the war being waged between *The Times* and *The Daily Telegraph*.

Jeremy Deedes, managing director of the *Telegraph*, confirmed yesterday that the group has issued a writ for breach of undertaking against the Audit Bureau of Circulations after it decided last Friday — following a complaint from News International which owns *The Times* — to omit the daily and Sunday *Telegraph* titles from its monthly audit of national newspaper sales.

Both groups agree that sales of *The Daily Telegraph* last month were 1.1 million, its highest sale for six years. They agree that sales of *The Times*, boosted by the success of its Eurostar promotion, hit a new record of 861,931, up 500,000 since the price was reduced three years ago and selling more last month than the sales of *The Guardian* and *The Independent* combined.

They disagree strongly, however, over what sort of sales are being registered in the all-important "full price" category used by advertisers to determine where best to buy their advertising space.

*The Times* registers its cover price as 10p on Monday, 35p from Tuesday to Friday, and 50p on Saturday. That shows sales at the full price of 802,000, with an additional 19,500 declared at a lesser rate and 39,800 as "bulk" sales, mostly papers offered free to customers at Trust House Forte hotels.

Managers at *The Times*

argue that the 100,000 extra sales achieved by *The Daily Telegraph* from autumn subscription offers should not be declared as sales at the full price. When *The Times* matched *The Telegraph's* subscription offers, it described new subscriptions to the ABC as sales at a lesser rate. That should also apply to *The Telegraph*, they say. It was when the ABC decided to accept the view of *The Times* last Friday that *The Telegraph* decided to issue its writ.

For *The Times*, the argument is more than mere semantics. If the disputed sales of *The Daily Telegraph* are stripped of copies sold at less than the full price, its sales drops below a million — an important psychological barrier — to just over 900,000, against 802,000 for *The Times*, the narrowest margin between the two papers for decades.

Mr Deedes says it is "pretty rich" of *The Times*, selling at 10p on Mondays, to "bleat" to the ABC about any competitor's discount. Yet advertisers know the price at which *The Times* is being bought; they do not know how many copies of *The Daily Telegraph* are being sold at unprecedentedly low rates.

The ABC, on which newspaper groups and advertisers are represented, accepts that 10p is the price of *The Times* on Mondays — and Rupert Murdoch, the chairman of News Corporation, parent company of News International, confirmed to the *Financial Times* this week that the price

cutting strategy of *The Times* will continue "forever".

After Peter Stothard, Editor of *The Times*, disclosed last week that the paper had been breaking even in recent weeks for the first time in living memory, Mr Deedes responded by promising to write a personal cheque to charity for £1,000 if Mr Murdoch showed audited accounts proving that *The Times* was in the black. Yesterday Mr Murdoch confirmed that *The Times* had been breaking even without the Sunday *Times* in four of the past five weeks.

There is more to this newspaper war than a simple conflict between *The Times* and the *Telegraph* group. What the ABC declares is crucially important to both. At stake are advertising decisions based on ABC data worth millions of pounds — as well as the authority and reputation of the ABC itself. The job of the ABC, a non-profit-making company launched in 1931 by newspapers, magazines and advertisers, is to provide authenticated data on sales and to protect advertisers against false claims. Staff inspectors make random inspections of auditors' and publishers' methods.

The measurement of newspaper sales is becoming more and more scientific. Newspapers are delivered on sale or

return nationwide by a network of about 100 wholesalers, with WH Smith and Menzies as the major players. They know how many go out and most now use bar codes to verify returns. Within 24 hours, newspaper managements can assess the previous day's sale within a margin of error of about 2 per cent. Their records of sales are audited and submitted to the ABC.

It is a system that has worked for 65 years but which has been put under increasing strain as newspapers have sought ever more ingenious methods of increasing circulation — including scratch cards, rail, ferry and hotel promotions, special subscription offers and offering free papers at hotels or petrol stations. That is why the ABC recently started splitting sales data into three categories: sales at full price, at a lesser rate and in bulk.

Equally fierce sales battles are being waged throughout Fleet Street. As the year ends, the 1997 winners are the Mail group against *The Express* and the *Guardian* and *Observer* against the *Independent* titles.

At more than two million, sales of the *Daily Mail* last month, showing a year-on-year increase of 192,000 (10 per cent), were at their highest for 29 years — and the *Mail* on Sunday, with a year-on-year sales up by 92,000 (5 per cent) also set a November record. Both papers are now almost a million ahead of *The Express*.

which is so far failing to show any leap forward after its conversion to a seven-day title.

Although under rejuvenated editorship, *The Independent* is also losing ground. As sales of *The Guardian* remain above 400,000, *The Independent's* have fallen by 32,000 (1 per cent) in the past year. As *The Observer* meanwhile registered its highest sale this year of 467,548, sales of the *Independent* on Sunday have slumped by 47,000.

Even without the boost obtained from its Eurostar promotion, sales of *The Times* would have been running at about 100,000 higher than a year ago. As it was, year-on-year sales were up by 189,000, and up by 78,000 on October. The Sunday *Times* had its biggest November sale for 16 years.

Beyond the black box waits the television-computer

## Who's afraid of the market giants?

Everybody has 20-20 hindsight, so the wry joke goes. And the joke is wrong. Nothing is so murky as the past. What does gleam crystal-clear is the future.

The current apocalyptic hysteria about the black box to sit on the television set and give it digital capability is an example of 20-20 foresight. What is in dispute is the form of control of the smartcard technology that gives access to the hundreds of new digital channels. The dispute is based on two assumptions: that who controls the black box has absolute control over the gateway to the future and that when all these channels become available, British consumers will lap them up.

Neither of these assumptions is certain. Let me try to throw a few shafts of darkness into the light.

The reason why BSkyB dominates the satellite market altogether is because Home Office policy in the early 1980s directed British investors to invest in the wrong kind of satellite. By the time reality intervened and it became clear in the late 1980s that a much more modest kind of satellite, already operating from Luxembourg, would do the job as well, billions had been wasted. A merger between BSB, the holder of the by-then useless licence to broadcast satellite television direct to British homes, and the viable Luxembourg-based operation, Sky Television (partly owned by News International, owner of *The Times*) was the logical way out.

But BSkyB's subscription sports and movie channels would not have had such a smooth entry into Britain had another government policy worked out. Early in the 1980s, the Department of Trade and Industry saw with blinding clarity that Britain should and would be wired up for cable television by the end of the decade. Pay-TV and a host of electronic informational delights would ride over the cable into the home. Satellite television would make its way as an extra option, mainly in rural areas where cable did not reach.

But, under the then Chancellor Nigel Lawson, the Government got cold feet and withdrew the tax concessions to cable. Lo and behold, British investors then shied away from the enormously heavy investment cable required. Thus the new market for subscription television was left for BSkyB, which had successfully developed its own form of encryption, or smartcard, technology for decoding channels and billing subscribers.

These episodes are part of a long-running tragedy of errors of British policy attempts to direct the development of new technology. Entitled "Picking Winners", it includes the tales of the Comet and Concorde aircraft and the electronic telephone exchange. The show has not ended. In order to encourage terrestrial broadcasters to develop their own version of digital

television, the Department of National Heritage last year came up with rules as fussy and over-detailed as a Madonna dress. Surprise, surprise. Enthusiasm for digital terrestrial has been low, while panic about BSkyB's plans to push ahead with digital satellite has been high.

That is not to say that the DTI's efforts to prevent BSkyB from having monopoly control over access to digital encryption technology have been a waste of time. The draft legislation as it now stands safeguards the rights of the BBC and other competitors to put their own digital channels out through BSkyB's box.

But the urgency is misplaced. There is no certainty that the public wants to make the investment to get all the extra digital channels. Digital television has got off to a very slow start in Germany. Many people in Britain, where the majority of the viewing public does not take satellite television, may very well choose to sit back and wait for the next leap forward. For there will be one. The set-top box is not the last door to the future. In time, all the necessary digital bits and pieces will be incorporated inside the television set, which will serve as a computer and give access to the Internet as well.

Anyway, there exists an alternative point of entry into digital television. Cable television, belatedly coming within reach of most urban homes, will offer its own set-top box, over which it alone will control access.

The competitor that the cable people are keeping their eye on is BT. If rumours are true that BT may try to join with BSkyB to subsidise the distribution of digital set-top boxes, the cable industry will run hotfoot to Ofcom. It knows that Don Cruikshank, Ofcom's formidable director-general, takes a dim view of market giants. He would not like to see two joining up.

My candidate for Media Manipulation of the Year has to go to *The Times* of Kevin Maxwell, the only television portrait of Kevin and Pandora Maxwell and their adorable brood last month.

This long piece of hagiography looked like the BBC's long-prepared attempt to be seen to offer balance to its hostile *Inside Story* Special: Maxwell — *The Downfall*.

All the same, "The Maxwells" made riveting television. One superbly edited moment showed Kevin sitting comfortably on the sofa with his dog, watching television, when his wife, the fierce, blue-eyed Pandora, entered and snapped a furious command to leave the dog alone. Kevin simply put his hand on her shoulder, squeezed it in a "there, there" manner and returned his eyes to the screen.

How does a man survive a father as forceful as Robert Maxwell? Find a wife who is his female counterbalance.



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## Circulation battle goes to tribunal

THE spat between the *Telegraph* group and the Audit Bureau of Circulations — over whether copies of the daily paper sold under its special £1 per week subscription offer counted as full-price sales — came as no surprise to former *Telegraph* employee Tony Gearing.

Mr Gearing, formerly deputy editor of *The Weekly Telegraph*, the *Telegraph's* overseas edition, alleges the company has made inflated circulation claims for the title. In 1993, *The Weekly Telegraph* issued a media pack to advertisers claiming a circulation of 153,116. Mr Gearing counters that the figure never rose above 50,000.

He will make the allegations at an industrial tribunal in the new year, where he will claim that he lost his job after he repeatedly complained about the issue.

Jeremy Deedes, the managing director of the *Telegraph*, said: "This man has had a long running dispute with the *Telegraph* since he was dismissed as a member of staff."

● Poor Liz Hurley. First her latest screen appearance, in *Samson and Delilah*, was panned by the American critics



Liz Hurley and Hugh Grant critics are not impressed

ies ("Among the greatest unintended comic creations of film"). Now, her first foray into production seems to have left her in a spin. Extreme Measures, a medical thriller starring Hugh Grant, is the first project from Simian Films, the couple's development company. But the plot appears to have bamboozled the *Essex* *Lauder* model.

"I found the moral intricacies of the script so complex that even now, two years after reading the first draft, I still can't decide where I stand on the ethical issues."

### Big in Japan

IS the *Titanic*, the luxury liner which sank the dreams of a new age of shipbuilders, about to do the same for

Hollywood? A new version of the story by director James Cameron is rumoured to be running well over its \$125 million budget.

Such news should come as no surprise to Lord (Lew) Grade, whose 1980s *Raise the Titanic* was said to have created huge losses for his company, TTC. "I remarked at the time that it would have been cheaper to lower the Atlantic than to raise the *Titanic*," Lord Grade said. "But that was just a joke. In fact it was the number one grossing film in Japan."

### In on the act

HAS the BBC run out of on-screen talent? Following news that its production supremo Alan Yentob is to present an

interview with David Bowie, we learn that the playwright and actor Harold Pinter is to make a rare TV appearance in the forthcoming BBC1 war-time drama *Count Me In: Breaking The Code*.

Meanwhile Michael Wearing, head of BBC drama serials, is to appear in the Beeb's new costume drama *Nostromo*. His character, a mine owner, is axed to death three minutes into the first episode. Nothing symbolic in that, we are sure.

● It looks as if Martyn Lewis, the BBC news anchorman who has long campaigned for more good news on television, is finally to get his chance. For the first time, Lewis is to present all of the Beeb's news bulletins on Christmas Day.

### History frisson

RESEARCH by MAG, the Museums and Galleries' Magazine, claims that museums are more likely to make your heart leap than television.

The magazine wired up a fit young man to a heart monitor. His heart rate increased by six while watching *The X-Files*, by seven when witnessing the shooting of Ian Beale in *East-Enders* and by ten when viewing *Basic Instinct*.

But these figures were easily outstripped by a visit to the Natural History Museum which stirred a rise in heart rate of 28.

POSTCODE \_\_\_\_\_

# THE TIMES

2

INSIDE  
SECTION  
2  
TODAY



## ARTS

Jessica Lange  
rides her Streetcar  
to the West End  
PAGES 35-37



## HOMES

Churches come  
up for sale in  
Chiantishire  
PAGE 38



## SPORT

Mansell brings  
down curtain  
on Formula One  
PAGES 39-44

TELEVISION  
AND  
RADIO  
PAGES  
42, 43

BUSINESS EDITOR Lindsay Cook

WEDNESDAY DECEMBER 18 1996

MPs recommend DTI be deprived of financial supervision role

## Bank attacked over Barings

By Jason Nisse  
and Gavin Lumsden

AN ALL-PARTY committee of MPs yesterday attacked the Bank of England over its role in the collapse of Barings in February 1995 and said that, unless it changes the way it operates, banking supervision should be taken away from the Bank.

The report of the Treasury Select Committee, which took 13 months to complete but had to be published a day early because of leaks, also attacks the auditors of Barings, the Securities & Futures Authority (SFA) and questions the effectiveness of international co-ordination when it comes to supervising financial markets. It also recommends that, as soon as possible, all regulation of the financial markets is taken away from the Department of Trade and Industry and given to the Treasury.

But the main attack of the report, which was only signed by three members of the committee, Barry Legge, Nigel Forman and Diane Abbott, is on the Bank. The MPs take the view that the Bank's closeness to the institutions it regulates, and because of its proximity to the day-to-day banking market, is an impediment to effective regulation.

The MPs described the Bank as a "cheerleader for the City" and in a final line, which will be of great concern to Michael Foot, the Bank's director of banking supervision, the report says that to "bring about the necessary cultural change, banking supervision will have to be taken away from the Bank of England."



Leeson: rogue trader

The Bank was at pains to say this was not a recommendation, only a comment. However, privately the Bank is seething about the comments of the MPs, who it feels do not understand the Bank's special role in the UK financial market, a role that is unique among leading financial regulators. Officials pointed to the



Michael Foot, head of supervision, a role MPs suggest may come to an end

Bank's statute, which defines one of its roles as making sure that the financial infrastructure of the City is in place. The Bank sees this as a role completely at odds with the idea that it could be a "cheerleader" for any particular institutions.

The MPs attacked the Bank for its failure to co-ordinate the

regulation of Barings and said there was a question of "too many cooks". It records that the Singapore investigators gained "limited assistance" from the Bank and suspects that the two regulators were working in competition rather than co-ordination, adding that the evidence of Eddie George, the Governor of the

Bank, "failed to allay our concerns in this respect". Though the Bank does not accept this criticism, a spokesman said: "We have long recognised that there is a need for improved regulatory co-ordination and, since the collapse of Barings, we have been working hard at ways of taking that forward."



George: cheerleader

Since Nick Leeson, a rogue dealer, caused the collapse of 223-year-old Barings, Howard Davies, the deputy governor of the Bank, has joined the Securities & Investment Board, the lead regulator for financial markets, and Sir Andrew Large, chairman of the SIB, has joined the Board of Banking Supervision. In a speech

last week, Mr Davies noted that, although banks were different from securities firms, the organisations are converging and supervision may go the same way.

The MPs said that it would improve co-ordination in regulation if responsibility was put under one Government department, and recommended that the Treasury, not the Department of Trade and Industry, was given the role.

To date there has been only one casualty at the Bank of England, Christopher Thompson, who resigned in the summer of 1995.

The report was critical of the role of Coopers & Lybrand, the auditors of Barings. A key recommendation of the MPs is that reports under Section 39 of the Banking Act, which are conducted at the request of the Bank when it has concerns about a financial institution which it regulates, should be done by a separate firm of accountants than the auditors.

"This would avoid any real or apparent conflict of interest," said the report. This was not accepted by the Bank, those it regulates or the accountants.

Coopers said: "This only adds value in exceptional cases. We do not accept that any real conflict of interest exists where this is not the case." Coopers added that the real issue was that, although the Bank of England sets the broad guidelines for a Section 39 report, the detail is left to the bank, which is paying the auditor.

The British Banking Association was concerned that the move could raise auditing costs without adding value. Many Section 39 reports cost over £20,000 and one is believed to have cost £750,000.

The Bank also expressed concern about the cost of the reports and whether bringing an external accountant in to report would lose the closeness and knowledge of the bank that the auditor had.

## MPs leave questionmark over future of regulators

The Bank of England's future role: "The Bank needs to demonstrate that it is able to separate its supervisory functions from its other functions and avoid any possible weakening of its regulatory effectiveness due to its proximity to the day to day banking market. Otherwise it may be that in order to bring about the necessary cultural change banking supervision will have to be taken away from the Bank of England."

at times there may be too many cooks, and those with front line expertise may be excluded from international discussions. Furthermore, we remain surprised that the Bank, as lead regulator of Barings, did not co-ordinate the response."

The auditors, Coopers & Lybrand: "One of the key checks, that of the auditors, upon which shareholders should be able to rely, failed over a number of years to reveal weak internal controls and resulting unauthorised behaviour."

The Treasury's role: "Ministerial responsibility for all aspects of financial regulation and supervision, including the prudential supervision of the insurance industry, should be transferred to HM Treasury at the earliest opportunity."

## How they reacted to the findings of the report

The Bank of England: "The report identifies some of the dilemmas that face regulators and we welcome it as a constructive contribution to the debate."

Coopers & Lybrand: "We were not responsible for the collapse of Barings. It collapsed because of management failure. That is why we have issued proceedings against nine former directors and employees."

The Securities & Futures Authority: "The report is welcome as an acknowledgement

of the difficulties that face all financial regulators."

Tim Yeo, Conservative MP for South Suffolk and former chairman of the Treasury Select Committee: "We must ensure that the Bank of England overhauls its approach to supervision or that responsibility should be given to another body."

"The Bank needs to revise its role fundamentally. While we have not set a timetable for the Bank to take action, we would like to see a positive reaction from the Governor."

Barry Legge, Conservative MP for Milton Keynes SW: "The Bank of England didn't give information to the Singapore inspectors represented by Price Waterhouse. This obviously caused a lot of bad feeling. Eddie George denied the problem existed. We weren't convinced."

The British Bankers Association said that the failure of Barings could be seen as a success of the system.

"You shouldn't guarantee that a bank can never fail," it said.

Pennington, page 25

## Nadir aide refused bail

ELIZABETH FORSYTH, the former Asil Nadir aide serving five years in prison for handling stolen funds, has failed in an attempt to be released on bail pending an appeal next month. The court bail application by Forsyth, 59, came six months after her conviction on two counts of handling £400,000 stolen from Polly Peck International. Her counsel argued for her release from an open prison near Rochester, Kent, on health grounds. Forsyth has had a worrying rise in blood-pressure and is concerned about her elderly mother in Essex.

## Selloff proceeds flatter PSBR

By Janet Bush, Economics Correspondent

GOVERNMENT borrowing totalled £2.6 billion in November, with continuing overruns in public spending being disguised by proceeds from the sale of Ministry of Defence married quarters.

The Public Sector Borrowing Requirement was exactly in line with City expectations, which broadly endorse the Treasury's view that it is on track to meet its £26.4 billion projection for the whole year. Cumulative borrowing over the first eight months totalled £13.9 billion, compared with £22.4 billion over the same period last year. Taking out

privatisation proceeds, the improvement has been less dramatic, but still marked. This year, cumulative borrowing has totalled £17.8 billion, against £22.4 billion last year.

Public spending is 3.5 per cent higher than a year ago — once the MoD sale is stripped out — against the Chancellor's hopes of containing it at growth of around 2.25 per cent. The MoD sale counts as "negative" spending in the Government's accounting.

However, disappointment on spending is being made up for by healthier than expected tax receipts.

## Strike vote at Lloyds TSB

WORKERS at Lloyds TSB have voted in favour of taking strike action in protest at the bank's decision to open branches until 4.30pm on Christmas Eve. The Banking Insurance and Finance Union balloted 18,000 of Lloyds TSB's 40,000 staff. Sixty five per cent of the 37 per cent who voted, voted in favour of strike action on Christmas Eve.

The bank said: "We are a retailer. All other retailers are open on Christmas Eve, so we should be open. Only about 4,000 of the staff voted in favour. Most of our staff have an interest in serving our customers."

Pennington, page 25

## Sheffield United joins stock market

By Jason Nisse

SHEFFIELD UNITED will become the sixth football club to join the stock market today when it reveals a £21.5 million reverse takeover of Conrad, the leisurewear group best known for Le Coq Sportif.

Conrad is paying £9.5 million for the Nationwide First Division club and the combined group will immediately launch a £12 million rights issue to fund development of United's ground at Bramhall Lane in central Sheffield.

The plan is to create a 40,000 all-seat stadium and develop the 17-acre site where

United is situated. United also hopes to be promoted to the Premiership and is offering share incentives to Howard Kendall, its football manager, and some of the players if they achieve this.

The deal has been on the cards for two months, but was held up while a deal was struck to buy out a 10 per cent stake in United owned by Stephen Hinchliffe, the businessman whose collapsed Fadia empire is being investigated by the Serious Fraud Office.

Mike McDonald, the Manchester businessman who took control of United two years ago, will be non-executive chairman of the quoted company, to be renamed Sheffield United.

Charles Green, the chief executive of United, will take that post in the quoted company, while Ian Townsend, Conrad's finance director, will keep his position.

Mike Edelson, Conrad's chief executive, is stepping down because of a conflict of interest, being a main board director of Manchester United.

However, he will remain involved for some time, largely to negotiate property deals.

## Building workers get fired up for new year

By Philip Bassett  
Industrial Editor

YOU MAY WANT a winter holiday. Your children may want a games computer. John Major and Tony Blair both want to be Prime Minister. But in the new year, what do many of Britain's construction workers want? They want to fire someone.

With Christmas out of the way, January is a traditional

month for employees to be pushed out towards the dole queue. However, as the festive season approaches, a new survey shows that, in the building industry at least, some employees' thoughts are turning to the sack — giving it, not getting it.

Hays Montrose, the recruitment consultant, which specialises in the construction and property industries, surveyed a sample of 560 employees work-

ing in building about what they wanted in the new year.

More than half want a pay rise, and more than a third are thinking about switching job.

However, as many as 14 per cent of those surveyed are looking forward to firing someone — perhaps anyone.

In Scotland, the proportion of would-be sackers is higher still, at 22 per cent, and even on the more sedate South Coast of England, firers total

18 per cent of those surveyed. In the sedate Home Counties, the figure drops to 13 per cent, and in the phlegmatic Midlands only 6 per cent of construction employees want to fire someone.

Robin Smith, managing director of Hays Montrose, said: "Although, at 14 per cent, the desire to fire someone was relatively low on the scale of priorities for next year, it is still a surprisingly large minority and indicates that, in the night-night property and construction companies of the 1990s, people are not prepared to put up with anyone who does not pull their weight."

Curiously, four-fifths of the workers surveyed say they expect the jobs situation in the construction industry to be "significantly" better in 1997 than this year. Unless, of course, those aching to axe someone get their new year wish.

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## News Corp in Japan venture

The News Corporation and Softbank of Japan yesterday launched Japan Sky Broadcasting, a television company that will provide the platform for hundreds of new digital satellite channels.

News Corp, parent company of *The Times*, and Softbank, Japan's largest computer software publisher, own equal shares in JSkyB, which is to begin broadcasting in April 1998. The two companies are also to create a joint venture called Sky Entertainment, which has applied to broadcast 12 channels on the JSkyB satellite. Sky Entertainment will be owned 19.9 per cent by News Corp and 80.1 per cent by Softbank.

## Digital TV rules changed

The Government has amended its digital television regulations to include tougher safeguards against anti-competitive behaviour in the supply of conditional access services.

The regulations, laid before Parliament yesterday, require potential digital television service entrants such as BSkyB to provide fair, reasonable and non-discriminatory access to all operators before its own services are up and running. BSkyB is 40 per cent owned by News International, owner of *The Times*.

## Jobs forecast

Britain's small firms are unlikely to be the principal source of sustained new jobs, a study from the Employment Policy Institute, the jobs think-tank, says today.

Job promises, page 27

## Firms merge

Cameron Markby Hewitt and McKenna & Co, two of the City's leading law firms, are to merge. Cameron McKenna will be the UK's eighth-largest law firm.

## Costain deal

Costain has won a £30 million contract to build a railway engineering workshop and associated housing in Malaysia.



Sir Paul Nicholson, Vaux chairman, yesterday when he unveiled full-year profits up 9 per cent to £35 million

## Pensioners may sue over BR fund's £500m surplus

By MARIANNE CURPHEY AND JONATHAN PRYNN

MORE than 100,000 pensioners could sue for their share of a £500 million surplus in the British Rail pension fund, it emerged yesterday.

Aslef and RMT, the railway workers' unions, said that they would be prepared to take legal action to recover money they regarded as due to pensioners. Aslef claimed that one privatised company, Connex South Central, was already considering withdrawing contributions to its pensions scheme. Connex confirmed last night that the company's pension committee would look at the issue, but said it was currently being drawn up and had not yet started talks with the fund.

Save Our Railways, the campaign group, complained that privatised rail firms would be able to use the surplus from the pension fund to boost profits or take pensions "holidays". The £500 million surplus accumulated after the fund made a number

of successful investments. The size of the surplus became clear after an assessment of the value of the £8 billion pension fund by the Government Actuary's Department.

The Government denied claims that it was sanctioning a pensions "sweetener" for the privatised rail companies. Sir George Young, Transport Secretary, said that railway pension funds would remain under the management of an independent trustee company, which must agree how any surplus is distributed. About

125,000 pensioners who retired before 1994 will not be affected, but more than 100,000 who have retired since then could receive benefits if the entire surplus is distributed to shareholders.

Sir George said he believed it was perfectly in order for any surplus to be shared between members and employers. "What has traditionally happened is that the surplus has been split 60:40 between the employer and employee - privatisation has not changed that," he said.

However, Save Our Railways said the rail companies would be pocketing cash that should have been used to improve pensions and benefits for existing staff and future pensioners. Peter Rayner, chairman of the British Transport Pensioners' Federation, said pensioners should benefit.

Jimmy Knapp, General Secretary of the RMT, said it would consider whatever action was necessary to defend pensioners' interests.

Pennington, page 25

## Vaux in talks over non-core assets

By ALASDAIR MURRAY

SIR PAUL NICHOLSON, the chairman of Vaux Group, yesterday said that the brewing and hotel company was in negotiations to sell non-core assets but was not prepared to make disposals at any price.

Vaux has put its nursing home division and five smaller hotels, with a total book value of about £50 million, on the market.

The company yesterday unveiled a 9 per cent increase in its full-year profits, to £35 million. Turnover also rose by 9 per cent, to £282 million. Profits of Swallow Hotels rose by 22 per cent, to £24 million, with occupancy up from 67.8 per cent to 71.7 per cent.

Vaux said that it planned to add 300 rooms to the 30-strong hotel chain by building new hotels in Liverpool and Huntingdon. The company aims to invest £21 million on upgrading Swallow sites this year.

The brewery division raised its profits by 26 per cent, to £4.5 million, after a reorganisation that resulted in major cost savings. Own-brand beer sales rose by 1 per cent overall, but margins in the free pub and club market continued to suffer from heavy discounting. Vaux said that its new brands, Lambton's bitter and the smooth brew version of Double Maxim, had started well and were benefiting from £3 million of advertising.

The managed pub division, which includes 165 pubs, increased profits by 17 per cent, to £9 million. Vaux aims to increase its managed pubs by 25 this year, including five new builds.

Profits from the 700-strong tenanted pub estate fell by 12 per cent, to £12.9 million, because of heavy investment, although the company said that it should benefit from the expenditure this year.

Sir Paul said that current-year trading has started well and that all the businesses have good prospects.

The total dividend is being increased by 4 per cent, to 10.6p. A final dividend of 7.04p is payable on February 6. Vaux shares fell 5p, to close at 252½p.

Tempus, page 26

## BUSINESS ROUNDUP

### Higgs and Hill sells its construction arm

A PREMIER league of contractors in UK construction is squeezing out medium-sized companies. John Theakston, chief executive of Higgs and Hill, the construction, property and homes company, said yesterday as it announced the sale of its troubled construction division to Hollandse Beton Group of The Netherlands, for £28.5 million, subject to £6 million from approval. Higgs and Hill is set to receive only £6 million from the sale, after balances between the two companies are settled. Mr Theakston said the division, which had turnover of £292 million last year, could not compete with international firms for UK contracts without major financial backing. The division last year had losses of £8.3 million, and exceptional costs of £7.1 million; the sale will let it seek contracts as part of Hollandse Beton's British operations, whose turnover is about £500 million a year. After the sale, Higgs and Hill will call itself Swan Hill, and focus on its profitable property and homes divisions, including Carter Commercial Developments.

### Kunick takes half stake

KUNICK, the gaming company, is paying £3.4 million for a 50 per cent stake in Bell-Fruit Manufacturing, Gausemann, the German amusement machine company, is buying the other half. Kunick, which is the largest purchaser of gaming machines in the UK, also reported a 10 per cent increase in pre-tax profits to £9.1 million in the year to September 30. Turnover rose 19 per cent to £119 million. The total dividend rises 17 per cent to 0.7p a share with a final dividend of 0.4p, due March 3.

### Novartis deal approved

AMERICA'S Federal Trade Commission has ruled that Ciba-Geigy and Sandoz can merge to form the world's second-largest pharmaceutical group if they sell certain businesses. Novartis, the name of the merged Swiss companies, will be exceeded in size only by Glaxo Wellcome. The FTC requires Novartis to sell or license products in three areas in which Ciba and Sandoz overlapped. Sandoz's North American corn herbicide operation is to be the largest sale, at \$780 million.

### Mersey strike offer

THE Mersey Docks and Harbour Company has made an "ultimate closing offer" to 329 sacked dockers, in the latest attempt to end a 15-month dispute, of £25,000 severance payment or the chance to apply for one of up to 40 jobs in the port. They will also be given a special £3,000 payment for a 12-week fixed contract of employment during which they will not have to work. The dockers have been given until December 31 to conduct a secret ballot on the offer.

### Eurotherm on lookout

EUROTHERM will focus on acquisitions as part of a strategic review after last summer's boardroom clash. With cash balances of £34 million, the electronics manufacturer has pronounced itself "able to grasp opportunities should they arise". In the year to October 31, pre-tax profits rose to £37.7 million (£34.1 million) and earnings per share grew 10 per cent to 27.6p. The dividend was increased to 9p (7.5p), with a 5p final due on February 28.

### Sherwood shares hit

SHARES of Sherwood Group, the clothing manufacturer, fell 30 per cent to a five-year low of 41½p yesterday after the company issued its second profit warning in six months. Pre-tax profits in the second half are set to be well below the £3.75 million reported in September for the first half. Full-year profits will include £3.1 million reorganisation costs, £2.3 million of which will be in the second half. The company plans to maintain the total dividend for the year at the 1995 level of 3.6p.

### Aberdeen 'squeezes' fees

ABERDEEN TRUST saw a 26 per cent rise in pre-tax profits to £7 million for the year to September 30 but said it had squeezed as much income from fund management fees as was possible. It would now have to exploit opportunities for growth in the US, Singapore and the UK. The loss of £120 million Lloyd's funds to Equitas meant overall funds under management grew £137 million to £2.84 billion. A final dividend of 2.2p, payable March 5, is 28 per cent higher.

### UB sells Ross for £44m

MANAGERS of the Ross frozen vegetables firm have bought the business from United Biscuits for £44 million. They have formed a new company, RVP Foods, which is supported by the private equity arm of the Union Bank of Switzerland. Proceeds from the sale will be used to repay United Biscuits' borrowings. Last year, Ross had sales of £56.1 million and operating profits of £6.2 million. It has net assets of £11.4 million. The disposal will lead to a write-off of £51 million.

### Coats Viyella lifted

SHARES of Coats Viyella, the largest supplier of clothing to Marks & Spencer, rose 5p from a five-year low of 122p after the company said lower raw material prices should offset tight margins to produce second half operating profits similar to those of last year. Ladieswear sales were strong but knitwear and men's and children's clothing has been disappointing. A steady second half will still mean lower full-year profits as interim earnings were 34 per cent lower at £47 million.

### Severn Trent buyback

SEVERN TRENT, the water company barred last month from bidding for South West Water, yesterday added to the utilities' shareholder bonanza with a £121.5 million buyback of its own shares. It will spend further cash "as appropriate". The company bought 4.9 per cent of its shares in the market at 67½p after an announcement last month that it would buy back 10 per cent of its equity. Severn Trent has followed other utilities in delivering substantial shareholder returns.

## Fairey makes surprise bid for Burnfield

By MARTIN BARROW

FAIREY GROUP, the industrial electronics and specialist engineering company, has launched a surprise £51.1 million takeover bid for Burnfield, the engineering business.

Burnfield, whose chairman is Brian McGowan, urged shareholders to reject the offer, setting the scene for an acrimonious takeover battle. Fairey's bid is conditional on Burnfield shareholders voting against the proposed £24

million purchase of Ling Dynamics and accompanying £20.3 million rights issue. These were announced on Friday and an extraordinary meeting has been convened for December 30.

Fairey wants to combine its existing process technology businesses with Beta and Malvern, Burnfield's two main subsidiaries.

However, Fairey contends that the Ling purchase will be heavily dilutive and serve as a distraction from Burnfield's existing businesses.

Fairey is offering one new share for every four Burnfield shares, valuing each Burnfield share at 145.5p. There is a full cash alternative of 135p. Burnfield investors will also receive the final dividend of 2.2p a share as forecast by the company.

Burnfield shares rose 36p to 136p yesterday. The shares had fallen from 111½p since Friday in response to the rights issue of new shares at 90p each. Fairey shares fell 1½p to 562p yesterday.

Mr McGowan, who holds about a million Burnfield shares, said that Fairey was offering a knockdown price.



McGowan: urges rejection

## Staged reductions to £330,000 planned

## Hanson cuts his pay packet

By GEORGE STIVELL

LORD Hanson, who has slumped down many a flabby enterprise in his time, is to halve his pay packet and then half it again.

Shareholders are told in the Hanson annual report that he halved his pay with effect from October 1, the start of the new financial year, in recognition of the demerger of Imperial, the tobacco business, and Millennium, the chemicals business.

The annual report shows Lord Hanson's salary at £130,000 for the year to

October 1996 and says that has been cut to £660,000 for the current financial year. The report says this will be cut again to £330,000 when The Energy Group is demerged.

The report shows Derek Bonham, the Hanson chief executive and the highest paid director mentioned, enjoying a 32 per cent rise from £1,123,000 to £1,484,000 during the year. Mr Bonham is also chairman of Imperial and is to become chairman of The Energy Group.

Lord Hanson also criticises the stock market's poor reception to the demerger. He

writes to shareholders: "The performance of the share price is of over-riding importance to us all and has been very disappointing. The combined value of Hanson and the demerged companies was 195p on December 1, 1995, and now stands at 150p (December 5 figure). This in no way represents either earning capacity or future prospects."

The Energy Group is scheduled to be demerged early next year. Further details of its results to September 1996 and its future plans are expected in listing particulars due to be published soon.

## TOURIST RATES

	Bank	Bank
	Swiss	Saudi
Australia \$	8.19	2.09
Austria Sch	19.07	17.57
Belgium Fr	36.36	35.36
Canada \$	2.294	2.224
Cyprus Cyp	0.813	0.785
Denmark Kr	10.41	10.41
Finland Mk	8.25	7.80
France Fr	9.08	8.43
Germany DM	3.522	3.52
Greece Dr	2.72	2.61
Hong Kong \$	13.51	12.51
Iceland Iskr	1.05	1.05
Ireland Ir	7.88	7.88
Israel Shk	5.74	5.09
Italy Lit	200.00	199.00
Japan Yen	160.00	159.00
Malta Mlt	0.840	0.585
Netherlands Gld	2.20	2.20
New Zealand \$	2.50	2.50
Norway Kr	11.27	10.47
Portugal Esc	200.00	200.00
S Africa Rd	8.44	7.84
Spain Ptas	223.50	210.50
Sweden Skr	11.36	11.16
Switzerland Fr	2.35	2.35
Turkey Lira	182.10	170.10
USA \$	1.794	1.694

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□ Northern battle nears its end □ Fresh wrangle over pension rights □ Bank takes flak from Barings

## When small investors count

□ MOST takeover bids work out their passage in their stylised way, with the usual choreographed moves and counter-moves en route, which are of enormous fascination to the participants and to the industry of advisers who earn multi-million pound fees but of limited interest elsewhere. We had two such yesterday, a couple of engineers bidding for smaller and less successful rivals.

Just a few, however, have resonance beyond the investment community and their respective industries. For example, Granada was one such, ending in a defeat for an incumbent management that had played the loyalty card to fund managers without any solid achievements to back this up. At the time there was much talk about City short-termism: the improvements Granada has achieved since suggest that support for Forté management would have meant taking a long-term view to excess.

Some similar arguments are being fielded in the CalEnergy bid for Northern Electric. It is a case of cash now, or support for a management that has done about all it humanly can to provide the maximum shareholder value as an alternative.

CalEnergy's 650p terms were initially seen as unattractive. Two new factors have intervened

since. A couple of precipitate market collapses have made 650p in cash more attractive than it had once seemed. The bid, which had been expected to be blocked by Ian Lang, President of the Board of Trade, was waved through. Had the bid lapsed, Northern shareholders would not have seen the money anyway. But its clearance also suggests open season for those three other regional electricity companies not yet under new ownership. Expect action soon — possibly even before the Northern bid closes.

Clearance raised the value of such businesses, and so by extension that of Northern. If the CalEnergy bid fails, the theory suggests, there will be another along in due course — possibly even from the same bidder at a higher price, if agreed. This is allowed under Takeover Panel rules, and Northern has indicated a fair value in the £7 area. Meanwhile the latter's stated dividend policy, a 99.2p payment in February, a prospective 10 per cent yield the year after and annual dividend growth of 8 per cent to the end of

the century, puts a fair support under the current share price.

The battle, which closes on Friday, will turn around those 19 per cent of Northern investors who are private shareholders, and therefore inclined to support the board. The City institutions, barring a couple of exceptions who have already declared themselves against the bid, will take the money. That 19 per cent have an exceptional opportunity to take a supportive stance, while still able to rely on the high dividends already promised. The betting is that the City will decide the affair. But local investors could choose to swing the matter.

### Temptation in a little pot of gold

□ GOVERNMENT ministers took the same attitude to pensions as other furtive 1980s employers in the messier privatisations such as buses, electricity and rail. If British Aerospace or British Telecom were sold intact, pensions simply went with them. When the old state organisation was broken up, all sorts of



possibilities (and responsibilities) suddenly opened up.

Pensioners had to be protected. But when highly paid advisers pointed out that state industry pension funds had surpluses that could be used to help to finance costly restructuring — or even just furnish Treasury coffers — ministers' eyes lit up with the childish delight of a lucky fruit-machine punter. Their delight was the greater because breaking up an industry otherwise yielded far less than selling it to the public intact.

In the National Bus break-up, Government niftily seized rights to any surplus in an unequal exchange for some less-than-generous guarantees. In electricity, surpluses were apportioned

with striking generosity towards new employers that needed to finance the extra pension cost of associated redundancies.

By the time the centrifuge approach to privatisation reached its apogee on the railways, the form was well established. Surpluses could be used to slim franchise subsidies by allowing bidders to see that they could enjoy a contributions holiday. In a twisted way, it makes sense. The surpluses are being retained in the industry, allowing the franchise director to obtain a better deal on services or investment for the same subsidy.

As soon as fund members started challenging these deals with the pensions ombudsman, however, awkward questions arose. How should trustees share such surpluses between member and employer? And what pressures are put on trustees to do what the Government wants? In the bus case, the ombudsman ruled that pressure has been unfair, though ministers still hope the courts will let them keep the surplus. Electricity workers were hard done by, too, according to the ombuds-

man. Whitehall and the trustees will surely be anxious to avoid another embarrassing rebuff from the State's own watchdog.

### Independence may not be enough

□ ACCUSING the Bank of England of being too close to the City is a little like accusing it of being in Threadneedle Street — it does rather go with the territory. It is impossible to review the Barings saga without disquiet over the way the system was operated, the cosy series of nods and winks that weren't the chummy assumption that the sheer longevity of the country's oldest merchant bank bestowed the right to operate without supervision.

There is a clear argument to separate the Bank's twin functions of economic stewardship and financial regulation of the banking system, if not least because the first area tends to attract the brightest minds — much more fun to follow the Chancellor from summit to summit dropping pearls of eco-

nomic wisdom than trawl wearily through endless financial audits. But it is not so clear whether an independent regulator would be effective merely because it would be independent.

The SEC on Wall Street is held out as a role model by some. But the SEC's success has come about not least because of the weapons available to it, including heavy civil penalties that require a lower burden of proof than criminal remedies — a relevant point the day after Ernest Saunders's victory in the European Court.

### Counter call

□ IT WILL be a cold and hungry Christmas Eve in the banking halls this year. The staff at Lloyds/TSB and NatWest have been told to work through the afternoon. The customer comes first, says Lloyds, in a hollow gesture intended to bring goodwill to the high street before overdraft rate charges begin to hurt. But the paupers — sorry, staff — at Lloyds are revolting. Our families come first, they say, leaving NatWest alone to man the counters. But telephone banking goes on heedless of the season of goodwill, a thought that should bring a non-festive shiver to all banking staff — and the prospect of an unmythical new year for a few thousand of them.

## FKI's bid for Tonks is rejected

By OLIVER AUGUST

FKI, the engineering group, yesterday launched a hostile bid for Newman Tonks after winning the support of the largest shareholders of the building materials group.

The cash-and-shares offer values Newman Tonks at £195.7 million. Alternatively, shareholders could take £182.6 million in cash.

FKI had been contemplating a bid for three years, and decided to go ahead only after gaining firm undertakings from M&G and Britannic Assurance, which hold a total of 13.4 per cent of Newman Tonks's equity.

M&G, which is Newman Tonks's largest shareholder, with more than 11 per cent, is irrevocably committed to accepting the offer after years of support for the Newman Tonks board.

M&G's move was regarded as highly significant in the City. Nigel Harrison, of Williams de Broé, the stockbroker, said that M&G's change of mind bode well for FKI.

Newman Tonks shares rose from 129p to 149½p, just shy of FKI's 150p-per-share offer.

Jeff Whalley, FKI chairman, said: "Newman Tonks represents an excellent opportunity to expand our hardware business internationally and in new sectors of the market. We have proven our

ability to enhance the performance of our core businesses in recent years, and I am confident that Newman Tonks's results can be significantly improved under our management."

Mr Whalley said that Newman Tonks's operating margins, earnings per share and dividend had all fallen by at least 11 per cent since 1992.

If the bid succeeds, the enlarged FKI group would have a stronger focus on hardware supplies and double its present hardware turnover. Whereas Newman Tonks operates primarily in Europe, 89 per cent of FKI's hardware business is in America.

Newman Tonks responded to the bid by branding it "opportunistic", and saying that it undervalued its businesses.

The company advised shareholders to reject the offer and take no immediate action.

The money payable under the cash alternative will be funded from existing cash resources and through a fully underwritten conditional rights issue of up to two new FKI shares for every 13 existing FKI shares at 175p per share.

FKI shares closed at 196½p, down from 200p.

Tempos, page 26

### Nursing homes 'in decline'

By ERIC REGULY

GOLDSBOROUGH Healthcare predicted yesterday that profit margins in its nursing homes division would continue to come under pressure because of flat or declining occupancy rates.

Graham Smith, chief executive, said funding uncertainties had reduced nursing home occupancy rates from 92.5 per cent last year to 90 per cent now.

The nursing homes division, which includes care homes, reported a 6 per cent decline in operating profits, to £4.5 million, in the year to September 30. The downturn was more than offset by better performances from the hospital and home care business. Pre-tax profits rose 11 per cent to £5.9 million on turnover of £68.7 million, up 34 per cent.

The final dividend, to be paid on February 28, rises 10 per cent to 2.97p, making the total dividend 4.29p.

### Securicor squeezed by competition

By ERIC REGULY

INCREASED competition and weakness in parts of Europe put pressure on the core operations of Securicor, the security and communications group.

Operating profits in its security division, which accounts for almost one third of turnover, declined from £15 million to £12 million in the year to September 30. The company said its British operations suffered from competitors which had reduced prices to "unsustainable levels" and problems in its French operations.

Securicor Cellular Services, its communications business, also suffered a downturn, with a loss of £4.5 million (£2.6 million profit). Securicor blamed the downturn on a shift in the mobile-phone customer base to consumer subscribers, who are more prone to bad debts than business customers.

The other businesses fared better. Parcels distribution, which includes Omega Express and Pony Express, was the star performer with a 57 per cent rise in profits to £21 million. Cellnet, the mobile-phone company which is 40 per cent owned by Securicor and 60 per cent owned by British Telecom, generated £76 million in profits (£70 million). Group pre-tax profits were up 8.1 per cent to £107.4 million. Earnings per share were 11.6p against 10.7p last time, and the final dividend of 1.2p, due on April 4, makes a 1.56p total, up 17 per cent.

Tempos, page 26



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STOCK MARKET

MICHAEL CLARK

# Insurance sector heats up as merger rumours grow

THE market remains convinced that it can only be a matter of time before a major deal is announced in the insurance sector.

Once again the speculative attention was focused on Commercial Union as the price raced up 13p to a new peak of 693p as persistent talk of the long-awaited bid from Allianz, the German insurance group, resurfaced.

It seems that a plan by BAT Industries to merge its financial services arm, that includes Allied Hambro, Eagle Star, and Farmers, with CU was abandoned a few weeks ago.

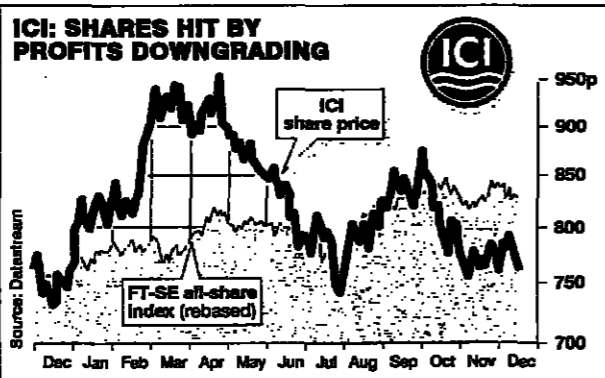
But BAT continues to look at ways of expanding. Now the speculators claim it may be looking at General Accident, up 21p at 716½, which is reckoned to be the safest bet after CU. At these levels GA is capitalised at £3.3 billion.

The insurance brokers are also undergoing a period of consolidation. In recent weeks Aon has merged with A&A and earlier this week Lloyd Thompson, 1½p firmer at 175½p, decided to tie the knot with JTB Group, 2p better at 132p. Further deals are expected. Willis Corroon, up 5p at 140½p, Sedgwick, 1½p dearer at 133½p, are both seen as possible bid candidates.

The overnight setback for shares on Wall Street provided a dull backdrop to trading in London, with prices marked lower at the outset. The losses were accelerated after lunch by a stronger than expected jump in new US housing starts. It prompted an initial mark-down of US Treasury bonds while the Dow Jones industrial average also moved lower. But New York later clawed back a 31-point deficit enabling the London market to close above its worst levels. The FT-SE 100 index reduced a 23-point deficit to close 14.2 down at 3,979.6 as a total of 888 million shares were traded.

British Gas fell 6p to 223½p after ABN Amro Hoare Govett, one of its joint brokers, reduced its break-up value for the company from 240p to 220p. It also reduced its recommendation from a "buy" to a "hold".

Hoare Govett was also responsible for a 6p fall in ICI at 767p after a profits downgrade. It has reduced its estimate for the current year by £25 million to £675 million and for 1995 by £35 million to £790 million.



ICI SHARES HIT BY PROFITS DOWNGRADING

ICI share price

FT-SE all-share index (rebased)

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

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Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Dec Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec

that full-year pre-tax profits will be hit by a £55 million restructuring charge. It also warned that operating profits before costs will be similar to the second half of last year. The group was optimistic about prospects and the price responded with a rise of 5p at 127p.

Severn Trent Water put on 13½p at 667½p after the group waded into the market and bought back almost 5 per cent of its own shares. The group announced plans to buy back up to 10 per cent of its shares with the interim figures last month.

Kanick, the leisure group under Clive Clague, chairman, and Russell Smith, chief executive, firmed 3½p to 23½p with the help of a 10 per cent increase in pre-tax profits at £9.1 million. It has also concluded a joint agreement with Gausemann in order to buy Bell-Fruit Manufacturing for £6.8 million.

Increased losses left Aromascan 4½p lower at 95p, while Eurotherm failed to benefit from full-year profits bang in line with City expectations as the price fell 20p to 540p. The City gave a lukewarm response to full-year figures from Vaux showing pre-tax profits of £3 million at £34.8 million. The shares settled 5p lower at 252½p.

Clubpartners, the AIM-listed leisure group, crashed a further 5p to 2½p after the group admitted that any offers for the company were likely to be pitched at around the 1p level. Last week the shares were trading at 11p.

GILT-EDGED: The stronger than expected jump in US housing starts unsettled bond markets on both sides of the Atlantic. Brokers said that in such thin conditions bearish news was always likely to create a certain amount of volatility.

In futures the March series of the long gilt fell 1½p to £108½ as the number of contracts completed slumped to just 20,000.

In the cash market Treasury 12 per cent 2015 lost 1½p to £101½, while Treasury 8 per cent 2000 was 1½p off at £102½.

NEW YORK: On Wall Street concern about the future of the economy and interest rates prevailed and bonds dragged shares lower. By midday the Dow Jones industrial average was down 4.23 points at 6,264.12.

## MAJOR INDICES

New York (midday):  
Dow Jones 6264.12 (-4.23)  
S&P Composite 721.27 (-0.29)

Tokyo:  
Nikkei Average 20412.46 (-6.58)

Hong Kong:  
Hang Seng 12815.37 (-122.11)

Amsterdam:  
EOD index 612.94 (-3.18)

Sydney:  
AO 2315.8 (-20.5)

Frankfurt:  
DAX 2815.13 (-0.66)

Singapore:  
Strait 2176.52 (-6.74)

Brussels:  
General 10285.40 (-233.48)

Paris:  
CAC-40 2193.70 (-28.87)

Zurich:  
SIX 826.10 (-3.78)

London:  
FT 30 2740.6 (-11.2)  
FT 100 3079.6 (-14.2)  
FTSE Mid 250 4364.0 (-7.2)  
FTSE 250 1977.3 (-4.2)  
FTSE Eurotrack 100 1847.55 (-0.94)  
FT All-share 1946.45 (-5.79)  
FT Non Financials 2028.14 (-7.14)  
FT Fixed Interest 116.27 (-0.03)  
FT Govt Secs 94.06 (-0.02)  
Barrington 688.00 (-0.08)  
VSE 100 Volume 688.00 (-0.08)  
USM (Daimler) 180.50 (-1.19)  
USS 167.18 (-0.0103)  
German Mark 2.5841 (-0.0033)  
Exchange Index 94.06 (-0.03)  
Bank of England official close (4pm)  
GECU 1.3302  
ESDR 151.9 Nov (2.74) Jan 1997/100  
RPIX 151.7 Nov (3.36) Jan 1997/100

RECENT ISSUES

Advanced Power Cm 80½ +1  
Archer Dedicated 100 +1  
Caudette 237½ -1  
Carnegie 182½ +6  
Cell Telecom (275) 277½ -2  
Dawn Tnt Dusk 121½ +1  
Exter Inv 97½ +1  
Finsbury Intl Hedge 616½ +3  
Future Int Tele (115) 125 +1  
Grainger Hldgs 129½ +2  
Henderson Tech 37½ -1  
Henderson Tech 98½ +1  
Highams Sys Svs 50½ +34  
Kern River 185 +1  
Kier Group 135½ +1  
Oxford Biomed 52½ +5  
Parkwood Holdings 8½ +1  
Plat Tech 54½ -10  
Provent (125) 131½ +5  
SDX Business Sys 170½ +1  
Second St David Inc 110½ +1  
Second St David Inc 5½ +1  
Second St David 2 Pl 184½ +1  
Seamless Cochrane 230 +14  
Yeoman Group 157½ +1

HIGHTS ISSUES

Allied Colloids n/p 2½ -1½  
Allied Colloids n/p (9) 1½ -1  
Aizun n/p (30) 1½ -1  
Biocompatibles n/p 245 -2½  
Bodycote Intl n/p 144½ +1

MAJOR CHANGES

RISER:  
Rail 485p (+20p)  
Fidelity 648p (+21p)  
Select App 340p (+10p)  
Aurion 752p (+19p)  
Com Union 683p (+13p)  
Church 497p (+10p)  
FALLS:  
Courtauld Text 221p (-10p)  
Domino 274p (-11p)  
Northern 540p (-20p)  
Border TV 515p (-5p)  
Stagecoach 705p (-18p)  
BAT 488p (-10p)

Closing Prices Page 28

## TEMPUS

## Engineering a bid

M&G is the measure of the poor performance at Newman Tonks. Not only has the fund manager encouraged FKJ to launch its bid, but M&G has offered a carrot in the form of a full, irrevocable undertaking to accept FKJ's offer. Even if Newman Tonks manages to rustle up a higher bid from a friendly third party, M&G is committed to FKJ; and the latter could, if it chooses, make a quick profit by selling to the rival bidder.

To that extent, FKJ could defray some of its underwriting fees, but the cost of winning is not inconsiderable. The engineering group is paying marginally less than £200 million for an equivalent amount of sales, a foolish price. The remaining £50 million to £60 million of Newman Tonks's annual revenue is likely to be sold quickly if a buyer can be found. Losses in the contract services arm of Newman

Tonks were responsible for the first-half profits collapse and the business would add little to FKJ. The question is how fast can FKJ boost the Newman Tonks margins. Excluding the duft business FKJ does not want, margins will be higher than the reported 6 per cent return on sales, a ratio the bidder scornfully compares with its own 16 per cent margin on hardware sales.

FKJ will do well out of Newman if it can take its margins up to the 12 per cent level, but that assumption of hidden value raises a problem. If Newman Tonks is a good business badly run, others, such as Williams Holdings, might seek to do the honours. The behaviour of Newman Tonks suggests that an auction, not a defence, is now in progress. That is good news for M&G, whose recent investment record is more akin to Newman Tonks than FKJ.

## Securicor

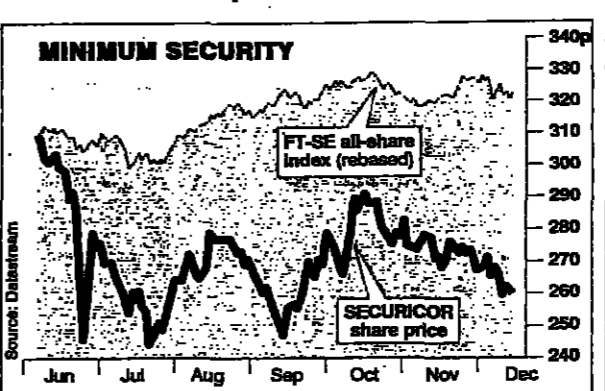
SECURICOR continues to wrestle with the same problem. Profits and growth are driven by its 40 per cent stake in Cellnet, the mobile phone company it jointly owns with British Telecom.

The investment has been a gem, but Securicor's management is keen to sell: a passive investment in mobile telephony hardly justifies their existence and they would like to free up resources to expand security, parcels delivery and business services. But the sale cannot proceed without government approval, and there is no chance of that happening before the election.

The delay is a blessing in disguise: Securicor has a lot of work to do. If it is to succeed Cellnet it must prove that it can do a better job of running its core operations.

The parcels distribution business performs well but the security division, which accounts for almost a third of turnover, has suffered a downturn and its margins are among the lowest in the industry. The company must also drum up interest in its Cellnet stake. As the logical buyer, BT will naturally offer a rock-bottom price unless Securicor can find competing bidders.

Securicor shares are worth a bet at this stage. Margins are more likely to rise than fall; and if they follow the latter course, the company may find itself in the sights of Rentokil and other predators. There remains the hope of squeezing more value from Cellnet.



MINIMUM SECURITY

FT-SE all-share index (rebased)

Securicor share price

Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Jun Jul Aug Sep Oct Nov Dec

Source: DataStream

Jun Jul Aug Sep Oct Nov Dec

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## LONDON FINANCIAL FUTURES

Period: Dec 18 1996

FTSE 100: 3970.00 High: 3970.00 Low: 3970.00 Set: 3970.00

FTSE 250: 4370.00 High: 4370.00 Low: 4370.00 Set: 4370.00

Three Month Sterling: 4.45% High: 4.45% Low: 4.45% Set: 4.45%

Three Month Euro: 4.45% High: 4.45% Low: 4.45% Set: 4.45%

Three Month Euro DM: 4.45% High: 4.45% Low: 4.45% Set: 4.45%

Long Gilt: 126.50 High: 126.50 Low: 126.50 Set: 126.50

Japanese Govt Bond: 126.50 High: 126.50 Low: 126.50 Set: 126.50

German Govt Bond: 126.50 High: 126.50 Low: 126.50 Set: 126.50

Three Month Euro: 4.45% High: 4.45% Low: 4.45% Set: 4.45%

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Three Month Euro DM: 4.45% High: 4.45% Low: 4.45% Set: 4.45%

Long Gilt: 126.50 High: 126.50 Low: 126.50 Set: 126.50

Japanese Govt Bond: 126.50 High: 126.50 Low: 126.50 Set: 126.50

## DOLLAR RATES

Australia: 1.2565-1.2573

Belgium (Com): 1.344-1.347

Denmark: 5.0135-5.0155

France: 5.2191-5.2201

Germany: 1.4315-1.4325

Hong Kong: 7.7367-7.7377

Italy: 1.4445-1.4455

Japan: 113.713-113.713

Netherlands: 1.7344-1.7354

Norway: 6.4525-6.4535

Spain: 165.00-165.00

Singapore: 1.3951-1.3961

Sweden: 1.3010-1.3010

Switzerland: 1.3200-1.3210

Other Sterling

Argentina peso: 1.6708-1.6713

Bahamas dollar: 2.0065-2.0075

Bahraini dinar: 1.4600-1.4610

Brazil real: 1.7400-1.7410

Canadian dollar: 1.4315-1.4325

Czech crown: 0.7725-0.7735

THE  
TIMESCITY  
DIARYGoing Places  
with Cilla

A MARRIAGE made on holiday. Going Places has signed a seven-figure deal to sponsor LWT's *Blind Date* show. Credits will appear before, during, and after the popular match-making programme. Due to strict guidelines, however, the travel company has been barred from playing cupid and sending couples on their blind date.

To celebrate tomorrow's launch, Going Places is sending the only two couples to have married as a result of the show on a second honeymoon. Cilla Black will not be there — the presenter of the show is on her hols.

## Called to the bar

TRUE to my word, legal firms Cameron Markby Hewitt and McKenna & Co have tied the knot. Once meetings to take a vote had finished at both firms on Monday night, separate celebrations began. In the middle of the excitement, however, someone at Camerons (whose party had started rather earlier than its other half) suggested that the two firms were merging, then so should the parties. At once, taxis were filled with dewy-eyed partners from Camerons, heading off to initiate themselves with their new relations at "Cameron McKenna".



Rimmer: is that you?

## Saying cheese

FULL MARKS all round to Legal & General for the most boring, most cheesy, most embarrassing Christmas card. Graham Rimmer, the insurance company's photogenic press officer, has taken time out of his busy schedule to pose for the picture. If this is what it's like during the festive season, imagine the office during the rest of the year. Oh yes, and isn't that a Hermes tie Mr Rimmer is wearing?

## On the case

POSTIES are not the only people working their fingers to the bone before Christmas. Eleven case officers in the OFT's mergers secretariat have dealt with 487 cases already this year, including the proposed British Airways-American Airlines alliance and the planned Bass-Carlsberg-Tetley takeover. Since the beginning of last week, 26 cases have been completed and a 40-page consultation document on the BA-AA merger has been published. Working on an average of 10 cases each at any one time, sometimes to a deadline of 35 days, staff will be letting rip at this week's Christmas party.

## Travel pack

WHERE has Le Meridien Piccadilly been since the awakening of equality? The hotel has introduced a new "Female Executive Traveller" package, promising low-calorie menus and glossy magazines for lonely females to read in its restaurants. Business women will be escorted to their hotel room, located close to the lift, where there will be a welcome letter waiting with basic safety tips and essential information on beauty treatments. An all-important magnifying mirror will be hanging in the bathroom.

MORAG PRESTON

## As promised — Tories labour their point on employment

Philip Bassett

goes in search of the truth behind claims in the John Major advert on employment

John Major's bespectacled eyes stare hugely out from the billboard plastered around Britain's streets. "As promised," the advertisement says, "more jobs." As the Government today unveils its latest job figures, the Prime Minister's campaign allies the Conservatives' jobs record with its tax-cutting claims as one of the key issues on the pre-election agenda. Are the Conservatives right?

Ministers hope today's latest labour market figures will show a further fall in unemployment, though there were no clear signs in Westminster yesterday about whether the fall will take claimant unemployment below the significant two million mark.

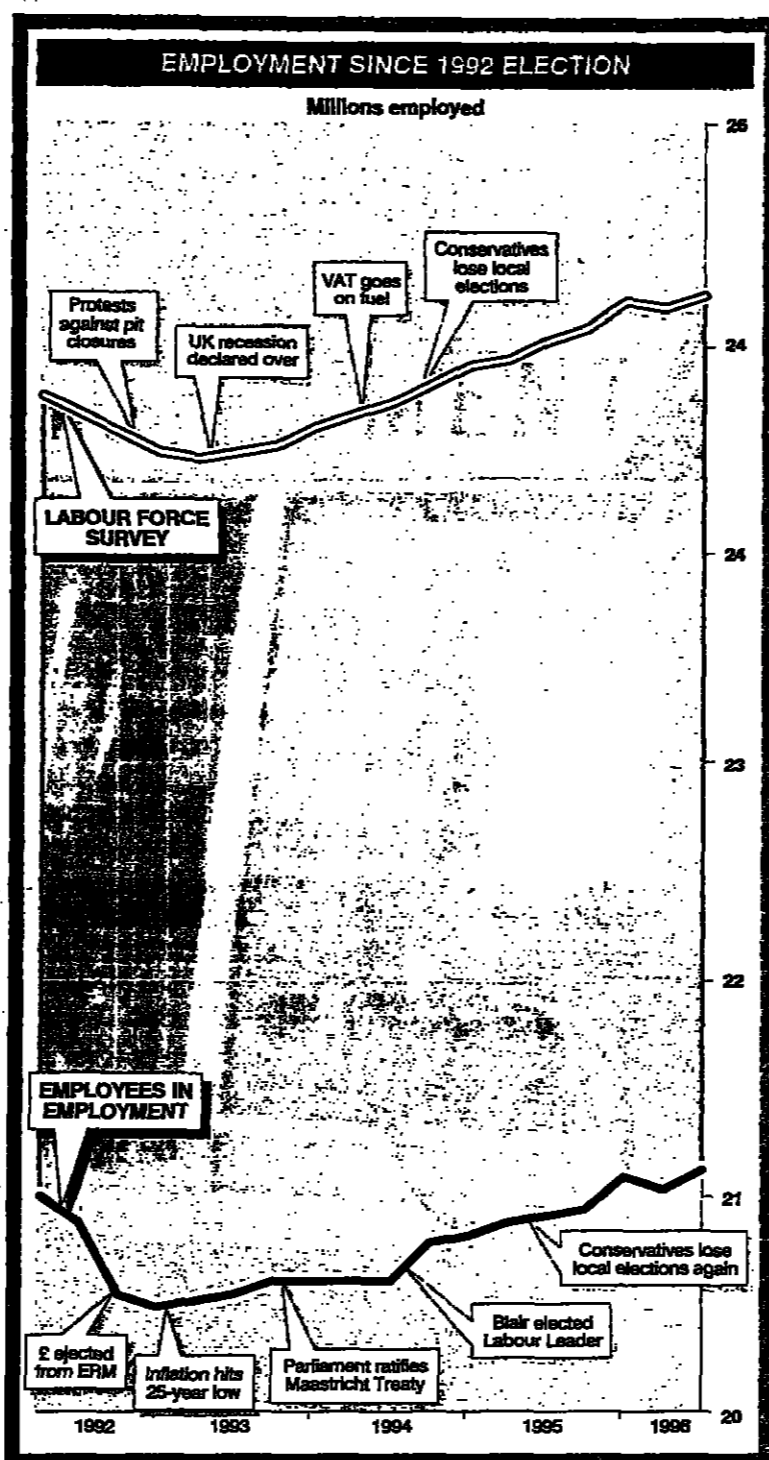
While ministers are hopeful that the figures today or next month will show that last month's 40,800 fall was associated with a number of special factors. They might "bounce back" on today's figure, which needs to drop by at least a seasonally adjusted 30,100 to fall below the two million threshold — something it has done only twice in the past two years.

A few months before a general election, unemployment is clearly a key electoral concern for voters, with more than 10.3 million people having had one or more spells of being out of work since the 1992 vote. But however significant unemployment is, it is the number of jobs that will be vital in ushering back the elusive "feel-good" factor, seen as central to the election. By focusing in the current "As promised" advertising campaign on only tax cuts and jobs, that is the Conservatives' clear pre-election judgment.

But for the Government, the jobs story since the last election is made more difficult by the disparity between its two principal measures of employment, as produced by the Office of National Statistics — the employer-based Workforce in Employment series (WinE), focusing mainly on employees in employment (EinE), and the household-based Labour Force Survey series. Whitehall's statisticians have just been revising the figures, again, so that the gap between the two has been reduced, this time by 98,000, so that it now stands at 454,000 — still more of a yawning chasm than a gap, and one that is proving difficult and perhaps impossible to bridge.

Take overall employment change since the last election. The employer-based EinE series measures the change as an increase of 129,000, or just 0.6 per cent — barely enough to justify the "As promised" campaign. The LFS sees it differently — a 467,000 increase in jobs, or just under 2 per cent.

Because its methodology makes it internationally comparable — and because it is less subject to the switchbacks of political decision-making — statisticians tend to favour the LFS. Ministers tend to like the "real" numbers of the unemployment claimant count, or the EinE, which is partly why they have rejected a move to a



monthly LFS, instead of the current quarterly arrangement; but the markedly better figures of the LFS on jobs are tempting them sorely.

In any case, the WinE and EinE series are still economically more important — in particular, because they, and not the LFS, are used as components in other key economic indicators, including the GDP figures, and in Budget arithmetic.

Looking at the EinE series, then, and comparing March 1992 — a month before that year's election — with the latest available figures, for June 1996, the overall job growth of 129,000 masks important other developments.

For instance, the overall improvement disguises sharply differing experience for men, and for women. Since the last election, the total number of jobs for men has gone down, by 84,000, or 0.8 per cent. The number of jobs held by women has risen, by 213,000, or 2 per cent. Given both the dominance of women in part-time work, and the increasing attractiveness to employers of more flexible work patterns, the period has also seen very different

developments in patterns of employment. Part-time jobs are up since the election, by 7.7 per cent, or 439,000. Full-time employment is down, by 283,000, or 1.8 per cent.

Within these national figures, the employment pattern has diverged, too. The South West, for instance, has seen the highest job growth, at 4.5 per cent, or 76,000 new jobs — though this region has traditionally been a low-employment, low-pay area.

Yet the industrial heartland of the West Midlands has seen a 2.9 per cent increase in jobs, up 59,000 since the election, followed by the East Midlands at 1.9 per cent, or 30,000, and then Yorkshire and Humberside, at 1.8 per cent, or 34,000 jobs. By contrast, some areas have seen a fall. Scotland has lost 100,000 jobs since the election — down 5 per cent. The North has seen 3.25 per cent of its jobs go, or 36,000, while 0.6 per cent, or 15,000, have gone in net terms over the period.

These differential experiences of job growth, and some continuing job decline, are reflected in the patterns in

different industrial sectors. Despite recent increases, jobs in manufacturing, which were hammered in the recessions of the early 1980s and the early 1990s, have continued to be hit since the election, with the total number of manufacturing jobs now 2.5 per cent down since then — a fall of 101,000. Service sector jobs — often seen as less secure, less well-paid and less long-lasting — are up, in contrast, by 3.3 per cent, or 526,000.

Within these broad groupings, some individual areas have been harder hit, while some have prospered. Unsurprisingly, given the extent of the pit closure programme from 1992 onwards, mining and energy has seen the biggest fall in jobs — down a huge 44.5 per cent or 153,000 since the election.

Sectorally, nothing else comes close, though almost 16 per cent of jobs in construction, or 150,000, have gone over that period; 11.3 per cent of jobs in agriculture, or 33,000; and 7 per cent of jobs in transport, or 96,000.

No sectors have seen comparable rates of growth. The official category of real estate, renting and general business service activities has seen the biggest increase — up 18.7 per cent, or an increase of a hefty 441,000 jobs. Employment in hotels and restaurants is up 8 per cent, or 64,000, and in health — probably mainly administrative jobs — by 4.5 per cent, or 106,000.

Even using the LFS figures, which show overall much higher jobs growth, similar differences emerge, though when set against the EinE series, the pattern can be confusing. Not only does the LFS show much higher jobs growth since the 1992 election, at 467,000, but the composition of that growth is different.

Whereas the EinE figures show men's employment falling while women's has risen, the LFS shows a rise for both — 150,000, or 1 per cent, for men, and 317,000, or 2.8 per cent, for women. The trends on part and full-time working are at least in the same direction in the two series, though the LFS figures show a startling increase — albeit from a relatively low base of 978,000 — in part-time work for men, which is up 300,000, or more than 30 per cent.

White-collar employment has grown more sharply than manual work, the LFS shows — up 678,000, roughly divided evenly between men and women, compared with a growth of just 96,000 in blue-collar jobs since the election. Jobs showing increases include managers and professional service employment — hairdressers, security guards and so on.

Clerical and especially skilled craft work have seen falls — down respectively by 58,000, or 1.5 per cent, and 282,000, or 8 per cent. By industry, the pattern is broadly similar.

Even given the statistical disparities so far unexplained by ministers and Whitehall, what all these figures tend to confirm is an employment pattern now fixed in voters' minds: fewer jobs in the "older" areas of employment, among men, in manufacturing, in peripheral regions, and in full-time work and, at the same time, a rise in jobs for women, in the service sector, in low-paying regions, in part-time employment.

The fact that after a long period of falling unemployment there have been rises at all in jobs is enough, just, to give at least a sliver of substance to the Government's positive claims. Whether that will be enough for the electorate remains to be seen.



ANTHONY HARRIS

## The curse of the Fairy Godmother

John Major seems likely to enjoy his Christmas break more than he can have dared to hope only a few weeks ago. He has survived a crucial vote. Shoppers are behaving as if they felt good. And now his policies enjoy the OECD seal of approval: Britain can, it seems, go on performing like a Euro-tiger, outgrowing most other developed countries.

Little (apart from the IRA) seems likely to disturb his festivities. The markets have settled into the slumber that follows a good meal; and even if they get a twinge of indigestion and provoke a fall in equities or sterling, the correction would actually be quite welcome. Could it all come right?

You will hardly expect an endorsement in this column; and if you step back a little, the prospect changes into an old seasonal puzzle: what is

If the exchange rate does not ease very soon, you can forget the OECD's cheerful UK forecast

ful UK forecast. Just another dud projection.

But if it isn't oil this time, why is the exchange rate rising so relentlessly? Within Europe, we can no doubt blame the French, as usual. After blaming us for a sneaky devaluation, they have joined in, and persuaded the Germans to join them, in the joy-through-weakness campaign. But the pound is rising not just in Europe, but against everything — and that is not so easy to explain.

I hope, at least, that you agree it is difficult; for that is my only hope of persuading you to give any serious attention to what may look a far-fetched guess. Is it possible the British lion has indeed become a tiger, as Ministers like to boast, but is now suffering the fate of other tigers?

All offered cheap, orderly and relatively well-trained labour, and friendly tax regimes. All attracted large inflows of fixed investment which speeded modernisation. But later they "enjoyed" stronger portfolio inflows than they could absorb — a process which Brian Reading, of Lombard Street, has christened "uphill capital flow".

The result of this force-feeding: first a rising exchange rate and/or rising reserves; then a rising domestic money supply; then rising inflation and a ballooning trade deficit. Final chapter, unless they are luckier than Mexico: collapse of confidence, currency, economy and all.

This is a capital market version of Greek tragedy (hubris followed by Nemesis), and it seems equally inevitable. Only one government has found any answer: Singapore controls its capital markets so tightly that it has been able to keep the inflows out of domestic circulation.

No British government seems likely to try to tame the City in the same way, and would probably fail if it tried. But perhaps the markets can do it for themselves. If British fund managers switch overseas aggressively enough, they can recycle this poisoned gift.

So you have a duty this Christmas. Spread a little panic. Your country needs you.

## Morag Preston on corporate Christmas gifts with a twist

## Preserving a presence with a present

Couriers across the capital are being kept busy delivering Christmas presents from one company to another. The giving of corporate gifts is back with a vengeance. But diaries bearing the company logo, which usually go straight in the bin, and bottles of booze have fallen out of favour. This year the City is dabbling in corporate gifts with quirky angles.

"For the first time in three years, I haven't had it said to me that times are hard," says Francesca Humphreys, managing director of The Empire Group, a corporate gifts company whose clients include SBC Warburg, Ogilvy & Mather and Sony Music.

Business is booming for the pukka present service specialising in luxury British products from retailers such as Theo Fennell, the jeweller, and Justerini & Brooks, the wine merchant. "We are constantly on the lookout for unusual gift ideas that go a long way beyond silver-plated letter-openers and carriage clocks," she says, adding that this year's most popular present from employers to staff is a £20 silver-plated candle snuffer.

Harrods corporate gifts service is boasting record figures this year, with hamper sales up 60 per cent and those of gift vouchers 30 per cent. Travel agencies and airlines are among the Knightsbridge store's most regular subscribers to its gifts service. From cuddly toys to gift vouchers, the most important feature is the Harrods logo. "Fifty per



Harrods corporate gifts service has seen hamper sales improve 60 per cent this year

cent of the pleasure is in the packaging," says Humphreys. Her clients, especially American and Japanese companies, want to send "typically British" gifts. It is the Americans and Japanese who have forced the British into corporate gift giving, she says.

Marketing directors tend to organise what gifts go to staff and contacts. Medium-sized companies that sign up with Empire usually spend between £30 and £50 per gift. But even if they spend less, it is the name of the shop it came from that is all important — Mosimann's Christmas puddings in pretty boxes, for example, at £7 each. A cuddly

moose in a customised airtight can from Chester Boyd, the catering company, is one of the more unusual gifts to have turned up at The Times. Meanwhile, the healthcare division of Legal & General has sent out aromatherapy stress kits to help recipients through the festive season. Moneyfacts, the UK's leading provider of mortgage and savings data, seized on the idea of a Christmas cracker containing a mini teddy bear.

The best corporate Christmas gifts are those forever linked with the company that sends them. This year, the team at Kleinwort Benson's Investment Trusts sent out

1200 natty "mug mats" to private clients and stockbrokers, with a photographic montage of their smiling faces on one side and a Father Christmas cartoon on the other. For the past ten years, Roger Hulet, director of Investment Trust Sales at Kleinwort, has been dreaming up inventive gift ideas to charm his contacts and wind up the opposition.

Brian Winterflood, managing director of Winterflood Securities, who is renowned for his Christmas gift giving, this year came up with a customised "mouse mat", while the equity sales team at Société Générale sent out jug-

gling balls. So too did Mercury Asset Management.

Every year, Guinness sends out a bottle of whisky or gin to key contacts, including brokers, analysts and fund managers. This year, it was a 12-year-old bottle of Johnnie Walker Black Label. Meanwhile, staff at Guinness are allowed to choose from a selection of alcoholic beverages. The brewer also sends out about 17,000 bottles of Johnnie Walker every Christmas to former employees.

Asda sent out huge food parcels with samples of its seasonal products, including cold turkey sauce, a first-footings kit, banana toffee Christmas pudding, and a tin of its Christmas dinner for dogs. However, its staff are not allowed to receive gifts.

Tesco will occasionally give a gift to a supplier, whereas Sainsbury and Safeway do not give or receive any gifts. Marks & Spencer leaves it to its various departments to choose what they send to whom, but usually it is a box of the store's finest chocolates.

Sending the wrong present is, of course, worse than sending nothing at all, according to Humphreys. Go for something classically neutral, she says, then perhaps have it engraved. Clothes and jewellery have never been popular corporate Christmas gifts in the UK.

Meanwhile, it is never a good idea to give sharp objects, such as letter-openers, to clients from the Middle East, while the Japanese tend not to like fountain pens or cufflinks.

NOTICE OF VARIATION  
OF INTEREST RATES

With effect from 1 January 1997

Mortgage Rate will increase to

7.25% per annum for

both existing and new borrowers.

The 100% Mortgage Rate

will also increase to 7.75%

per annum, along with the Royal

Premier Mortgage Rate to 6.50%,

with effect from this date.

Existing arrangements

apply for Centralised Mortgage

Services customers.



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150.60	160.20	1.40	Int'l Genetec Inc.	233.80	238.75T	+ 2.40
168.8E	179.7C	1.40	Windsor Shipping Inc.	90.88	95.85	+ 5.57
681.80	725.40	- 15.30				
88.72	95.45	- 0.36	SCOTCH WIDOWS' FUND MGMT			
105.10	111.80	3.13	9331 858 3724			
			Equity Inc.	453.90	464.1C	+ 1.52
			DR Accon	686.40	742.75	+ 2.40
			DR Sogo Inc.	717.20	723.80	+ 1.40

45.77	47.43	- 0.12	1.64	Worshiper Inc.	221.40	239.80	+ 1.80
101.23	101.79	- 0.01	4.80	Yankee Inc.	425.45	496.35	+ 5.90
119.80	120.35	- 0.01	4.09	Yell Amco Inc.	517.10	539.20	+ 4.25
101.31	111.20	- 0.05	5.58	Chrysler Inc.	247.50	264.00	+ 0.10
121.70	125.11	- 0.06	5.58	Global Amc.	761.80	785.61	+ 0.35
106.57	112.31	- 0.06	5.58	HL Spent. Sls Inc.	132.80	141.62	+ 0.76
95.31	95.10	+ 0.34	1.19	South East Asia	222.40	228.22	+ 1.20
98.26	99.21	+ 0.06	4.59	Chart Thrift Inc.	100.00	105.10	+ 0.25
282.26	289.21	- 0.15	2.20	US Savinr Cds Inc.	125.00	133.30	+ 0.25
279.80	279.70	- 0.80	0.62	Int. Account	171.35	140.10	- 0.23

249.58	234.02	- 1.55	0.97
9.20	100.55	- 0.53	0.48
107.05	134.64	- 0.19	0.41
238.35	248.37	- 3.42	1.31
113.00	119.05	- 7.41	0.53
48.54	52.54	- 0.00	6.57
111.17	118.91	- 0.31	1.26
129.70	137.96	- 0.08	2.73
150.50	160.11	- 0.05	2.38

MANAGEMENT LTD				SINGER & FRIEDLANDER INVESTMENT FUNDS LTD			
85.93	90.36	+ 2.2%	3.80	101.32			- 0.2%
115.16	121.09	- 0.16	0.62	Shelling Return :	101.43		- 0.10
107.55	112.67	- 0.1%	1.21	Prepaid Income :	102.09		- 0.20
				Tax Paid :	107.09		- 0.69
				Adm :	113.64		- 0.7%
				Lower Cdn Fund :	126.42		- 2.53
				Estimated :	127.92		
MERS LTD							

341.02	361.76	0.60	3.16	Global Bond :	86.86	- 0.34
				Comcast 1	52.76	- 0.43
				UK Growth :	108.73	- 0.15
				UK Energy Leaders 1	106.75	- 0.26
				Investment Trust 2	111.33	- 0.20
				Red Up 1	96.41	
				Glaxo Health PEP	77.10	62.82 - 0.52
				UK Invest PEP	58.01	61.71 - 1.86
				Prod Inc PEP #	105.00	111.66 - 0.12

SMITH & WILLIAMSON LTD MOPS		9171 537 5377	
412.42	437.25	1.03	0.37
206.11	219.17	- 0.06	
34.05	37.29	- 0.34	
123.84	128.02	- 0.42	1.67
428.44	446.25	- 1.94	1.10
198.54	199.15	- 0.29	4.39
50.78	52.05	+ 0.21	
48.02	50.04	- 2.04	
45.28	47.26	- 0.15	
61.83	64.94	- 0.63	
407.00	452.43	- 2.00	
Capital	1437.00	1554.70	+ 6.30
Cash	101.02	101.08	+ 0.04
European	161.70	171.00	+ 8.60
Per Lessor	152.70	161.50	+ 0.50
Growth	167.80	177.50	+ 0.30
Income	144.60	148.90	+ 0.60
Magnus	151.50	165.50	+ 0.30
Cost Cont.			

49.83	52.14	- 0.14	5.21		
37.58	38.24	- 0.6			
68.47	71.52	- 0.42			
66.32	68.23	- 0.39	0.45		
61.89	64.33	- 0.33	3.58		
50.91	55.16	- 0.14	7.22		
51.00	52.84	- 0.21			
51.01	52.86	- 0.24	4.24		

91.15	85.91		UK Growth	77.86	83.27	+ 0.08
102.23	108.25	- 0.28				
717.37	723.54	- 1.95				
50.35	53.00	+ 0.23				

STANDARD LIFE UNIT TRUSTS						
0000 33 33 53						
Standard Life Fund Mgrs: List						
					46.55	+ 0.20
					50.74	+ 0.20
					36.12	+ 0.25
					42.49	+ 0.20
					104.69	+ 0.40

MONEY LTD						
2 828 Gen Exp: 017933 380 600						
121.00	128.80	- 1.50	0.31			
77.83	83.48	- 0.51	0.31			

162.00	172.10	+ 1.20	1.63	Promer Inc AG	49.01	51.50	
64.78	68.10	+ 0.04	3.65	Promer Inc AG	53.29	56.09	
76.12	81.09	- 0.40	0.00	MGH Inc	64.11	67.96	+ 0.20
70.52	75.08	- 0.05	-	UK Eco Hk Inc	41.63	44.13	+ 0.10
141.70	153.10	-	1.36	UK Eco Hk Inc	55.49	58.02	+ 0.20
203.70	213.30	+ 1.10	3.59	Standard Life Mergel Ltd			
178.80	182.90	- 1.00	-	UK Equity Gsm Acc	79.94	84.94	+ 0.40
180.00	193.50	- 0.10	1.02	UK Equity Gsm Inc	57.24	60.82	- 0.30
				GSM & Print Inc Inc	31.75	33.58	-
				Omni Tel Gsm Acc	352.90	363.00	- 1.50

UNIT 181 MARS LTD				New American Acc				36.94	61.50	+ 0.80
132.40	204.60	- 2.80	1.10	Pacific Res	44.80	47.39	+ 0.30			
137.00	145.30	+ 0.50	1.33	European Acc	59.03	62.72	+ 0.20			
144.28	153.50	- 0.30	0.81	Japan Acc	24.49	26.00				
111.70	118.70	+ 0.10	1.04	STATE STREET UT MGMT LTD						
259.00	265.00	+ 0.10	1.84	0171 344 7000						
163.70	110.30	+ 0.50	2.83	Glaxo A (US)	4.763	5.055				
279.50	297.40		1.72	US Eqs (US)	2.657	2.875				
				Far East Eqs (year)	260.70	376.90				

ICE OF GROUP LTD			
171.00	180.90	- 1.30	0.49
429.00	434.00	+ 0.50	0.55
572.00	712.10	+ 0.50	0.55
151.00	180.70	- 0.40	0.79
156.70	165.30	- 0.30	0.79
399.30	422.50	- 1.70	0.72
528.50	584.70	- 2.30	0.72

397.40	426.50	- 2.90		
220.10	275.40	+ 0.60	1.05	
298.18	315.40	+ 0.70	1.05	
151.90	180.70	- 0.10	4.42	
<b>WEST SERVICES LTD</b>				
121.48	129.24	- 1.43	0.75	
91.85	97.71	- 0.29	1.00	
<b>SUN ALLIANCE UNIT TRT MIGHT LTD</b>				
Equities: 01277 527 300 Dealings: 01277 660 360				
			01277 1121	2.39

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963.20	172.40	0.30	5.92	North American	45.51	48.42	- 0.83
295.20	258.20	0.40	0.87	Soft Dr & Int	37.25	38.74	- 0.20
151.70	161.20	0.50		Soft Dr & Acc	41.04	43.67	- 0.22
161.90	172.20	0.80		UK Growth Int	64.91	66.86	- 0.50
24.90	27.13	0.35		UK Growth Acc	73.11	77.78	- 0.83
37.04	40.40	0.75	0.65	UK Income	44.83	47.85	- 0.12
64.43	64.75	0.18	0.93	Worldwide Div	40.38	43.78	- 0.37
166.20	178.60	0.10	1.34	SLC Preferred Funds			
385.40	388.70	0.80	4.05	Asian & Pacific Int	31.78	32.71	- 0.50
155.30	165.70	0.30	1.91	European Growth	50.27	50.27	- 0.28

49.07	52.70	+ 0.41	Joan Casual	26.11	26.92	+ 0.18
47.99	50.89	+ 0.77	US Empt	36.87	37.89	+ 1.70
198.56	211.20	+ 1.11				
82.95	86.29	+ 0.04	SUN LIFE TRUST MGMT LTD			
259.50	278.10	+ 2.90	Adams & Eng. 0171 686 0444	54.62	57.17	+ 0.90
337.80	377.80	+ 4.00	Discoversity	60.23	60.23	+ 0.00
60.45	64.32	+ 0.06	Cap Procter Inc.	48.35	51.44	+ 0.18
227.30	237.30	+ 3.00	UK Income Inc.	81.72	85.06	+ 0.04
198.20	198.40	+ 0.29	Milp Extra Inc Inc #	26.76	27.80	+ 0.02
			Milp High Yld Inc	30.96	36.77	+ 0.02

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52.85	58.47	0.17	7.75	124.61	131.92	- 0.40
53.00	50.49	- 2.18	6.33	130.16	148.91	- 0.42
58.22	68.15	- 0.22	6.33	170.70	222.95	+ 0.37
50.85	54.35	- 0.42		267.52	416.06	+ 0.69
51.01	54.40	- 0.42		32.67	57.43	- 0.15
42.94	45.13	- 0.84	4.97	165.56	191.70	- 0.15
114.32	115.28	- 2.86	4.97	380.18	380.18	- 0.25
381.89	380.59	- 0.83		767.54	872.53	- 0.25
362.42	366.57	- 2.94		51.71	53.87	- 0.05
56.18	58.92	- 0.51		120.43	125.86	- 0.40
58.12	59.12	- 1.36	0.97	179.01	400.06	+ 0.10

164.23	175.17	0.14	0.37	do Action #	868.21	939.90	+ 7.17
164.23	175.17	0.14	0.37	Pacific	381.66	414.45	+ 3.34
94.65	106.06	- 0.42	1.75	do Action	415.54	435.49	+ 2.46
105.27	112.18	- 0.47	1.75	International	617.42	653.36	+ 3.73
31.27	33.35	- 0.76		do Action	813.54	860.80	+ 4.92
31.27	33.35	- 0.76		Net Resources	173.30	183.39	+ 1.94
31.27	33.35	- 0.76	0.64	Said Ops	127.81	134.40	+ 6.18
331.07	263.14	+ 6.71	2.84	do Action	187.70	177.45	+ 0.24
101.63	106.28	- 0.19	2.84	Environmental	81.57	86.74	+ 0.33
182.48	189.18	- 0.20		Solutions	74.26	78.58	
114.76	122.43	- 0.50					
115.94	123.86	- 0.91					

139.09	361.86	- 0.38	2.23	-to- Accoun	85.77	91.82	- 0.05
424.89	454.271	- 0.46	2.23	High Income of	89.15	73.17	- 0.75
307.60	326.10	- 1.18	3.55	-to- Accoun of	85.96	101.59	- 1.03
821.73	863.18	- 2.39	2.55	All Income	62.78	65.90	- 0.15
224.44	239.40	- 4.00		-to- Accoun	83.22	88.05	- 0.19
224.44	239.40	- 4.00		Selector Income	85.73	76.54	- 0.04
				-to- Accoun	84.85	89.79	- 0.05
285.37	337.86	- 1.28	1.36				
323.38	325.47	- 1.44	1.36				
36.55	38.04	- 0.03	1.13				
				TU FUND MANAGERS LIMITED			
				0010 657 1018			

33.51	41.23	0.03	1.13	Bison	474.00	433.79	
69.91	95.85	0.14	0.01	European	75.93	70.51	
32.47	33.51	0.18	0.47				
32.19	35.89	0.18	0.67				
225.18	234.54	0.52	3.10	TEMPLETON UNIT TRUST MERPS LTD			
264.62	275.64	0.51	3.83	0121 550 4000			
213.11	220.90	1.69	1.17	Bank Group Ltd	233.28	249.49	- 2.18
229.49	233.85	1.77	1.17	Cash Deposit Inc.	194.87	206.42	- 0.95
138.11	144.95	0.59	0.83	Value Tol Inc.	143.54	153.52	- 0.52
147.17	153.30	1.04	0.83				
200.55	202.34	1.05	1.26	THORNTON UNIT MANAGERS LTD			

233.05	328.00	1.37	1.28	Drifted 2445 20000 Dashing	8171	2445	30.29	
223.42	234.71	- 2.80	2.85	Discovery Eye Rd	42.54	44.91	- 0.02	
226.11	237.18	- 3.10	2.80	European Friend	337.28	353.17	- 1.58	
196.51	194.281	- 0.47	2.45	Europe	638.59	717.137	- 0.82	
242.71	252.821	- 0.55	3.40	Global Eye Jakes	71.31	80.95	- 0.57	
145.17	155.21	- 0.09	2.45	Japan Tel	70.13	73.43	- 0.22	
161.15	167.87	- 0.07	2.43	Little America	97.50	102.51	- 0.55	
64.80	66.66	- 1.28	0.70	Mid Ocean Gals	292.37	306.14	- 4.82	
65.74	66.48	- 1.23	0.70	Ordnance Income	44.60	46.701	- 0.17	
				Pennsylvania	170.54	173.101	- 0.27	

UNITED STATES LTD				UNITED FRIENDLY UT TEST MGMT LTD			
89.44	52.92	+ 0.17	2.96	Type	280.30	802.90	- 2.71
77.61	82.07	+ 0.33	2.81	UT Base Chpt	70.54	82.24	- 0.03
80.37	96.57	+ 0.31	1.32	UT Growth	67.96	701.67	- 0.43
905.30	111.35	+ 1.35	6.56	UK High Yield #	719.14	129.70	+ 0.08
79.96	83.49	+ 0.19	1.10	UK Mid-Cap	338.75	354.70	- 0.04
99.78	102.36	+ 0.01	6.55	UK Small Cap	134.16	140.48	- 1.02
				UK Small Cap Div #	91.89	86.38	- 0.33

68.69	70.14	0.17	0.27	US27 Equity Index	116.52	72.96	+ 0.07	
151.43	128.41	- 1.26	0.32	US27 Equity Index #	104.25	111.91	+ 0.07	
134.26	142.61	- 1.58	0.17	US27 Equity Growth	76.05	80.50	- 0.12	
				European	66.50	52.02	- 0.28	
				Asia Australasia	74.98	79.77	- 0.63	
				Far East Asia	72.71	72.21	- 0.31	
				Money	80.57	85.37	- 0.09	
				Interest Linked Gd	73.46	78.17	- 0.04	

289.31	533.891	1.48	1.68	0.0000 DIRECT PPS LTO		
566.77	537.681	1.24	1.60	VS45 959595		
1027.71	108.091	0.58	1.78	Incense (incl)	104.27	104.37 - 0.28
58.81	81.431	0.27	1.73	Paper Candles	100.30	100.30
94.17	107.781	1.54	1.25	Paper Inc Product	100.40	100.40
84.92	90.63	0.73	1.34	UP Index Tracking @	131.13	131.13 - 0.39
41.11	43.97	0.04	1.85			
40.85	43.401	0.82	3.73			
41.82	44.811	0.08	2.08	WATERLEY LIND TEST MGMT LTO		
48.36	51.631	0.82	2.13	0331 225 1351		
					36.41	37.80 - 0.34

70.54	66.85	- 0.35	1.86	Shimizu	40.23	42.50	- 0.24
81.58	75.06	- 0.29	1.41	Pacific Steel	48.23	47.34	- 0.01
153.03	162.96	- 3.63	0.82	Central Japan Ind. (JSC)	0.0431	0.0511	+ 0.0082
				Power Chem	41.88	44.06	- 0.08
				Japan Seab Co.	37.57	39.54	- 0.32

INVESTMENTS							
469.30	521.60	- 0.70	3.16	WHITFIELD UNIT TEST MGMT LTD			
346.08	367.00	- 6.40	0.35	0171 829 2444			
306.50	413.40	- 2.50	8.22	Challenger	89.70	92.70	- 0.22
				Shant Dai Gas	125.50	127.10	

672.80	718.60	- 1.80	4.91	US Govt Bt (ACS)	0.7875	0.7875	
95.20	105.10	- 0.60	0.46	Lab Income	50.26	53.45	- 0.06
				SW Corp	78.08	81.241	- 0.15
				Growing Bond	49.04	50.651	- 0.13
<b>W. INV MGRS LTD</b>							
331.68	352.00		2.63	<b>WOOLLEIGH URB TRUST MGRS LTD</b>			
489.60	487.70		2.63	0187 286 4000			
279.00	266.90	+ 0.10	1.00	and Mgt	50.17	50.55	- 0.36
345.00	367.30	+ 0.10	1.00	UK Stockmarket	104.00	118.60	- 0.20

64.72	50.82	+ 0.19	1.56	Corporate Ind Inc	49.25	46.38	+ 0.06
62.82	68.22	+ 0.08	3.14	Del Acorn	50.83	50.96	+ 0.06
421.80	458.28	- 2.40	0.65				
487.70	526.20	- 2.70	0.66				
177.70	180.10	- 1.80	0.64				
205.10	219.30	- 2.10	0.54				
52.75	57.19	- 0.49					
428.03	348.80	- 7.28	0.96				
362.90	365.90	- 1.70	0.16				

Source: FT Information

\* Yield expressed as CAR (Compound Annual Rate)  
 † Ex dividend ‡ Middle price § No significant change  
 ¶ Periodic Charge deductibly from capital gain  
 †† Charge

[illegible][illegible][illegible]

1986-1987	1987-1988	1988-1989	1989-1990	1990-1991	1991-1992	1992-1993	1993-1994	1994-1995	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031	2031-2032	2032-2033	2033-2034	2034-2035	2035-2036	2036-2037	2037-2038	2038-2039	2039-2040	2040-2041	2041-2042	2042-2043	2043-2044	2044-2045	2045-2046	2046-2047	2047-2048	2048-2049	2049-2050	2050-2051	2051-2052	2052-2053	2053-2054	2054-2055	2055-2056	2056-2057	2057-2058	2058-2059	2059-2060	2060-2061	2061-2062	2062-2063	2063-2064	2064-2065	2065-2066	2066-2067	2067-2068	2068-2069	2069-2070	2070-2071	2071-2072	2072-2073	2073-2074	2074-2075	2075-2076	2076-2077	2077-2078	2078-2079	2079-2080	2080-2081	2081-2082	2082-2083	2083-2084	2084-2085	2085-2086	2086-2087	2087-2088	2088-2089	2089-2090	2090-2091	2091-2092	2092-2093	2093-2094	2094-2095	2095-2096	2096-2097	2097-2098	2098-2099	2099-2100	2100-2101	2101-2102	2102-2103	2103-2104	2104-2105	2105-2106	2106-2107	2107-2108	2108-2109	2109-2110	2110-2111	2111-2112	2112-2113	2113-2114	2114-2115	2115-2116	2116-2117	2117-2118	2118-2119	2119-2120	2120-2121	2121-2122	2122-2123	2123-2124	2124-2125	2125-2126	2126-2127	2127-2128	2128-2129	2129-2130	2130-2131	2131-2132	2132-2133	2133-2134	2134-2135	2135-2136	2136-2137	2137-2138	2138-2139	2139-2140	2140-2141	2141-2142	2142-2143	2143-2144	2144-2145	2145-2146	2146-2147	2147-2148	2148-2149	2149-2150	2150-2151	2151-2152	2152-2153	2153-2154	2154-2155	2155-2156	2156-2157	2157-2158	2158-2159	2159-2160	2160-2161	2161-2162	2162-2163	2163-2164	2164-2165	2165-2166	2166-2167	2167-2168	2168-2169	2169-2170	2170-2171	2171-2172	2172-2173	2173-2174	2174-2175	2175-2176	2176-2177	2177-2178	2178-2179	2179-2180	2180-2181	2181-2182	2182-2183	2183-2184	2184-2185	2185-2186	2186-2187	2187-2188	2188-2189	2189-2190	2190-2191	2191-2192	2192-2193	2193-2194	2194-2195	2195-2196	2196-2197	2197-2198	2198-2199	2199-2200	2200-2201	2201-2202	2202-2203	2203-2204	2204-2205	2205-2206	2206-2207	2207-2208	2208-2209	2209-2210	2210-2211	2211-2212	2212-2213	2213-2214	2214-2215	2215-2216	2216-2217	2217-2218	2218-2219	2219-2220	2220-2221	2221-2222	2222-2223	2223-2224	2224-2225	2225-2226	2226-2227	2227-2228	2228-2229	2229-2230	2230-2231	2231-2232	2232-2233	2233-2234	2234-2235	2235-2236	2236-2237	2237-2238	2238-2239	2239-2240	2240-2241	2241-2242	2242-2243	2243-2244	2244-2245	2245-2246	2246-2247	2247-2248	2248-2249	2249-2250	2250-2251	2251-2252	2252-2253	2253-2254	2254-2255	2255-2256	2256-2257	2257-2258	22
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Net & Post Int	45.50	48.50	- 0.07	7.19	Mid American Inc	120.03	145.80	- 7.28	0.16	o Periodic Charge deducted from capital	Exp
Reservy	98.02	34.70	+ 0.02	2.32	-> Accret	302.50	325.50	- 7.99	0.16	Charge	Exp

## Law Report December 18 1996 Court of Appeal

## Circumstances vital to level of care required of rugby referee

## Smoldon v Whitworth and Another

Before Lord Bingham of Cornhill, Lord Chief Justice, Lord Justice Mummery and Sir Brian Neill [Judgment December 17]

The level of care required of the referee of an under-19s rugby football match, towards a player who was injured by a referee's actions, was that appropriate in all the circumstances, taking full account of the factual context in which he was exercising his functions as a referee.

That context included his responsibility to protect players' safety and to apply the rules of the game in force at the time. In particular, those designed to minimise the acknowledged risk of serious spinal injury resulting from scrum collapses.

Where, therefore, a referee failed to take appropriate steps under the rules to prevent scrum collapse so that the plaintiff suffered serious spinal injury, the referee was liable for that foreseeable consequence of his breach of duty.

The Court of Appeal so held, dismissing an appeal by the second defendant, Michael Nolan, from Mr Justice Cusack's (The Times April 23, 1996) judgment in respect of his refereeing of an under-19s match on October 14, 1991, in which the plaintiff, Benjamin Smoldon, then aged 17, was the captain and hooker of the Sutton Coldfield Colts, was seriously injured when his neck was broken in a collapsing scrum during a match against the Burton Colts.

The plaintiff did not appeal against the judge's dismissal of his

claim against the first defendant, Thomas Whitworth, a fellow player.

Mr Richard Davies, QC and Mr Neil Black for the referee, Mr Philip Andrews, QC and Mr Peter Lehan for the plaintiff.

THE LORD CHIEF JUSTICE, giving the judgment of the court, said that although earlier cases had explored the duty owed by one sporting participant to another (see *Rootes v Shelton* [1968] ALR 33; *Condon v East* [1968] 1 WLR 868) and *Elliot v Saunders* (unreported, QB, June 10, 1994) and that owed by a sporting participant to a spectator (for example *Woodbridge v Sumner* [1963] 2 QB 43) and *Wills v Cheltenham Horseguard Motor Cycle and Light Car Club* [1971] 1 WLR 668, there appeared to be no previous case in which a rugby football player had sued a referee in negligence.

The present case was of obvious importance to the plaintiff whose capacity for active and independent life had been blighted, but it was also of concern to many who feared that the judgment for the plaintiff would emasculate and crush in unwelcome legal tolls a game which gave pleasure to millions.

His Lordship referred to the context in which the issues arose: 1 That rugby football was a tough, highly physical game, not for the timid or the fragile. In which participants in serious competitive games could expect a fair share of knocks, bruises, strains, abrasions and minor joint injuries.

2 The laws of the game in force during the 1991/1992 season issued

by the International Rugby Football Board and their accompanying instructions and notes for the guidance of players and referees, which contained special provisions for under-19s.

His Lordship set out the relevant laws applicable, in particular, to under-19s and relating to protection during scrummages and enforcement of safety measures, which were in place for the 1991-1992 season, specifically to protect young players against the risk of spinal injury caused by collapsed scrums.

He also referred to a further directive issued in March 1991 expressing concern at the continued lack of observance of the phased sequence of engagement within law 22(2) and requiring the strict observance of the engagement sequence, crouch-touch-pause-engage (CTPE).

3 The referee's function to supervise the playing of the match, endeavouring to apply the rules of the game fairly and judiciously so as to ensure that the flow of play was not unnecessarily interrupted, that points awarded were fairly scored and that foul or dangerous play was discouraged and, where appropriate, penalised or prevented.

His Lordship said that that function had often to be performed in the context of a fast-moving, competitive and vigorous game, calling for split-second judgments and decisions.

The referee could not be in all parts of the field at the same time; he could not hope to see everything that went on; it was a difficult and demanding job, usually, as here,

performed out of goodwill by a devotee of the game.

On the question of the duty of care owed to the plaintiff the referee, founding his pleaded defence on observations of Lord Justice Sellers and Lord Justice Diplock in *Woodbridge v Sumner* [1963] 2 QB 43, 57, 67 and 68, had argued that while he owed a duty of care and skill, nothing short of reckless disregard of the plaintiff's safety would suffice to establish a breach of that duty.

The judge had adopted the test proposed by the plaintiff in reliance on observations of Sir John Donaldson, Master of the Rolls in *Condon v East* [1968] that the duty owed was to exercise such degree of care as was appropriate in all the circumstances.

In the judgment of the court the judge was correct. The referee accepted that he owed a duty so that there was no issue whether any duty of care arose at all or whether any such duty was owed to the plaintiff.

The issue of policy, or of what was just and reasonable, did not accordingly fall for decision. The only question was what duty was owed. The referee feared that if the plaintiff's test were accepted the threshold of liability would be too low and those in the referee's position would be too vulnerable to suits by injured players.

The court did not accept that fear as well founded. The level of care required was that which was appropriate in all the circumstances, and the circumstances were of crucial importance.

Full account had to be taken of the factual context in which he exercised his functions and he

could not be properly held liable for errors of judgment, oversight or lapses of which any referee might be guilty in the context of a fast-moving and vigorous contest.

The threshold of liability was a high one. It would not easily be crossed.

There was no inconsistency between that conclusion and that reached by the Court of Appeal in the *Woodbridge* and *Wills* cases. The position of a referee vis-à-vis the players was not the same as that of a participant in a contest vis-à-vis a spectator.

One of his responsibilities was to safeguard the players' safety. So although the legal duty was the same, the practical context differed according to the quite different circumstances.

The referee had submitted that the injury to the plaintiff had not been caused by him directly, but as the result of acts and omissions on the part of third parties, the other members of the scrum, and that he could not be held liable unless the court found that there was a high level of probability of injury of the kind which the laws were designed to prevent as a result of a scrum collapse.

The court rejected that submission. There could be no doubt that the scrummaging rules were designed to minimise the risk of spinal injuries caused in collapsing scrums, that being a risk of which those managing or coaching rugby teams or refereeing or playing in matches were by October 1991 well aware.

It was accepted that the referee owed the plaintiff a duty of care and skill and that serious spinal

injury was a foreseeable consequence of a scrum collapse and of failure to prevent such collapse.

If the referee were properly found to be in breach of his duty of care by failing to take appropriate steps to prevent a collapse and if as a result of his failure a scrum did collapse and a player thereby suffered spinal injuries of a kind the rules were designed to prevent, then the referee would be liable in law for that foreseeable result of his breach of duty, despite the fact that, quantified statistically, it was a result which was very unlikely to ensue.

His Lordship, referring to the judge's findings, said that the judge had been satisfied by the evidence that the scrums were repeatedly coming together in a rushed way and with excessive force; that those impacts were the likely cause of a large majority of scrums collapsing and that the number of impact collapses had been declining to find precisely how many scrums collapsed in that way, he had accepted the body of reasonably evidence at trial that there had been at least twenty scrum collapses.

Referring to the evidence at trial, including that given by four witnesses whom the judge had found impressive and reliable, his Lordship said it had been their clear and unshaken evidence that the referee had not during the match insisted on the CTPE sequence being followed and that it had not been followed.

Of the three expert witnesses the judge had gained most help from the expert called by the referee who, as the judge accepted, had

explained the difficulty for a referee of spotting who was collapsing the scrum, but that recent law changes in 1991 had given referees of colts matches the power they needed to stop scrums collapsing and that the referee in such games was under an active duty to do so.

In the expert's opinion the referee's responsibility was to ensure the players did not injure themselves or others, having what he had called "a preventive aim"; that if the CTPE sequence were properly applied with evenly matched scrums, as in the present case, he would not expect as many as five to six collapsed scrums, and that if there were 25 that would indicate that the referee's standard of refereeing was below an acceptable standard.

His Lordship referred to the judge's conclusions that the referee had not enforced the CTPE sequence; that he had, given the extent of collapsed scrums and in the light of his own expert's evidence, fallen below the standard of a reasonably competent referee in refereeing the scrummages in that game.

Alternatively to his main defence, the referee had pleaded the defence of violent non fit injuria, that the plaintiff had consented to the risk of injury of the type he had sustained by voluntarily playing as a member of the front row and/or participating in the practice of collapsing scrums, thereby also increasing the risk that the opposing front row might seek to do the same.

The judge had rightly rejected that defence. In the court's judgment the plaintiff had consented to

the ordinary incidents of a game of rugby football of the kind in which he was taking part.

Given, however, that the rules were framed for the protection of him and other players in the same position, he could not possibly be said to have consented to a breach of duty on the part of the official whose duty it was to apply the rules and ensure so far as possible that they were observed.

If the plaintiff had been identified as the prime culprit in causing the collapse then that defence, and contributory negligence, might call for consideration. But that was not the case.

The judge had emphasised that his judgment in the plaintiff's favour was reached on the very special facts of that case. He had not intended to open the door to a plethora of claims by players against referees and it would be deplorable if that were the result.

In the court's view, that result should not follow provided all concerned appreciated how difficult it was for any plaintiff to establish that a referee failed to exercise such care and skill as was reasonably to be expected in the circumstances of a hotly contested game of rugby football.

The court was caused to wonder whether it would not be beneficial if all players were, as a matter of general practice, to be insured not against negligence but against the risk of catastrophic injury.

That was no doubt a matter to which those responsible for the administration of rugby football had given anxious attention.

The appeal would be dismissed. Solicitors: Davies Arnold Cooper; Evans & Coleman, Putney.

Improving economy brings fresh hope

## Resolving dispute on creditor's petition

**Alipour v UOC Corporation**  
Before Lord Justice Mummery, Lord Justice Gibson and Lord Justice Hutchison [Judgment December 17]

The Companies Court should not normally refuse to determine a dispute on a creditor's winding-up petition even where it related to the petitioner's locus standi, if the existence of the petition was not likely to cause substantial damage to the company.

The Court of Appeal so held when allowing an appeal by the defendant, UOC Corporation, from the order of Mr Justice Knox on May 21, 1996 whereby he dismissed a petition to wind up UOC Corporation, an international business company, under section 124 of the Insolvency Act 1986.

The petition was a contributory's petition but the respondents, Farshah Ary and Alexander Schweininger, shareholders in UOC Corporation, disputed the petitioner's locus standi. Mr Justice Knox held that the dispute as to locus standi should be determined outside the petition and not as a preliminary issue.

Mr Victor Joffe for the petitioner; Mr Roger Kaye, QC, for the respondents.

LORD JUSTICE PETER GIBSON said that Mr Justice Knox had referred to *In re JNL Ltd* [1978] 1 WLR 183 which held that where there was a contributory's petition but the petitioner's status as a contributory was in dispute that dispute should be determined first before the petition was presented.

His Lordship said that it had long been the practice of the Companies Court when faced with a creditor's petition based on a disputed debt to dismiss it, insist-

ing that the dispute be determined outside the petition.

The reason was a pragmatic one: the Companies Court being ill equipped to deal with the resolution of disputes of fact.

It was only a rule of practice and not one of law for the Companies Court to refuse to determine a dispute on the creditor's petition's locus standi and that rule was flexible especially when to go to another court would effectively deprive the petitioner of any remedy: see *In re Russian and English Bank* [1932] 1 Ch 663; [1932] 48 TLR 282 and *In re Claybridge Shipping Co SA* [1981] Com LR 107.

In *In re JNL Ltd* it was said that it was the more important that a petitioner whose status as a contributory was in dispute should not be permitted to present a petition and thereby interfere with dispositions by the company of its assets and risk damaging the financial standing of the company.

It was submitted by the petitioner before their Lordships that that case, although right at the time it was decided, should no longer be followed. It was rightly pointed out, his Lordship said, that significant procedural changes had occurred since 1977. The likelihood of damage being done to a company through the existence of such a petition was now very much reduced.

It was hard to see why the Companies Court should now normally refuse to determine a dispute, even if it did relate to the petitioner's locus standi, if the existence of the petition was not likely to cause substantial damage or inconvenience to the company. However, their Lordships would

not go so far as to say that the court could not take into account the factor that there was a genuine dispute as to the locus standi of the petitioner.

There might be evidence of damage or inconvenience caused to the company through the continued existence of the petition and the circumstances might indicate that the appropriate course was to require the dispute to be determined outside the petition.

In light of the authorities as affected by the current procedures of the Companies Court, the current position was: (a) a creditor's petition based on a disputed debt would normally be dismissed; (b) it would not be dismissed if the petitioner's locus standi was in dispute and the effect of dismissal would be to deprive the petitioner of a remedy or otherwise injustice would result or for some other sufficient reason the petition should proceed; (c) on a contributory's petition where the locus standi of the petitioner was disputed, the court would consider all the circumstances, including the likelihood of damage to the company if the petition was not dismissed, in determining whether to require the dispute to be determined outside the petition.

In the circumstances of the present case, the court being free to exercise its own discretion, the petition would not be dismissed notwithstanding the dispute as to the petitioner's locus standi but would be allowed to proceed so that the petitioner was not left without a remedy.

Solicitors: Palmer Cowen, Veale, Wabrough, Bristol.

## Wilson v Housing Corporation

Before Mr Justice Dyson [Reasons November 19]

The tort of inducing unfair dismissal did not exist.

Mr Justice Dyson so stated in the Queen's Bench Division in a reserved judgment giving reasons why he had on November 12 refused leave to the plaintiff, Edwin John Wilson, to amend his statement of claim to add a new cause of action, namely an allegation that the Housing Corporation induced his former employer, Pierhead Housing Association, to commit an unfair dismissal.

In December 1987 Mr Wilson was summarily dismissed from his employment by Pierhead on the ground of alleged gross misconduct. In 1988 he brought proceedings for unfair dismissal in the industrial tribunal. His claim was upheld and he was awarded compensation.

In 1993 he instituted proceedings against the Housing Corporation. By his statement of claim he claimed additional compensation from the corporation by way of damages at common law.

He alleged that the corporation (i) induced Pierhead to break the contract of employment; (ii)

committed the tort of intimidation by threatening unlawfully to use its statutory powers unless Pierhead dismissed him; and (iii) committed the tort of misfeasance in public office by abusing its powers.

On the second day of the trial he sought leave to add a fourth cause of action, namely an allegation of inducing Pierhead to commit an unfair dismissal.

Mr John Hendy, QC and Ms Beverley Lang for Mr Wilson; Mr Nicholas Hinchey and Mr Paul Stanley for the Housing Corporation.

MR JUSTICE DYSON said that counsel were unable to find any previous authority on the question. Mr Hendy adopted as a correct statement of the law paragraph 22 in *Clark v Liverpool City Council* (17th edition 1995). He submitted that the essence of the cause of action was that the plaintiff had suffered the violation of a right at the hands of a third party which had been brought about by the knowledge and deliberate acts of the defendant.

It was a necessary condition of liability on the part of the defendant that the plaintiff should have an enforceable right against the third party. It was not, however, necessary that the breach of statu-

tory duty should give rise to a cause of action and be actionable by the plaintiff against the third party in a court of law.

Mr Hochhausser accepted the existence of the tort of inducing a breach of statutory duty. He submitted, however, that it was not every such inducement that was actionable.

In particular, he argued that the plaintiff had to show that the right that had been violated by the third party was a legal or equitable right which was capable of forming the basis of a cause of action, that is, capable of being sued upon as a tort: see *Associated British Ports v TGWU* [1990] ICR 557, 571B, although Lord Justice Neill was not there addressing the point to be decided in the present case.

Mr Hochhausser submitted that the right not to be unfairly dismissed, created by what was now section 94 of the consolidating *Employment Rights Act 1996*, was not capable of being sued upon as a tort in a court of law; it could only be the subject of a complaint to an industrial tribunal.

The statute provided a complete code in respect of remedies for unfair dismissal. The exclusive remedy of an employee for infringement of his right not to be unfairly dismissed was by way of

complaint to an industrial tribunal. To recognise the existence of the tort of inducing unfair dismissal would upset the special remedies created by Parliament to deal with unfair dismissal.

First, it would require the court to determine whether dismissal was unfair. In some cases, such as in the present, an industrial tribunal would already have ruled on that question; but the decision of the tribunal was not admissible to prove an unfair dismissal: see *Hollingshead v Whitworth* [1994] 1 KB 547 and *Land Securities plc v Westminster City Council* [1993] 1 WLR 286, 288E-F.

Second, if the tort of inducing unfair dismissal existed, it could only be sued upon in the ordinary courts. Such a claim could not be presented to an industrial tribunal, since such tribunals were creatures of statute and had "no inherent, general or residual jurisdiction": see per Mr Justice Mummery in *Secretary of State for Employment v Mann* [1994] ICR 197, 204F.

If it was open to the plaintiff to sue the defendant in the ordinary courts for the tort of inducing unfair dismissal, then various important safeguards and limitations imposed by Parliament on the statutory right to complain

about an alleged unfair dismissal could be circumvented.

In his Lordship's judgment, the cause of action of inducing unfair dismissal did not exist largely for the reasons given above. His Lordship noted that there was no authority requiring him to hold that the tort existed. Nor could he accept that principle obliged him to go down that route when authority did not point the way.

Part of the reasoning that led his Lordship to conclude that the tort of inducing unfair dismissal did not exist was that the only breach of statutory duty that could found a claim for inducing breach of statutory duty was one which was actionable in the courts.

That reasoning was not limited to claims for breach of the statutory duty not to be unfairly dismissed. It would equally apply to rule out as a cause of action the inducing of breaches of other statutory duties the breach of which could give rise to actions in the courts.

There were in any event reasons peculiar to complaints of unfair dismissal that led to the conclusion that the tort inducing unfair dismissal did not exist.

Solicitors: Whitless, Manchester; Trowers & Hamlin.

## Inducing unfair dismissal gives rise to no liability

## Wilson v Housing Corporation

Before Mr Justice Dyson [Reasons November 19]

The tort of inducing unfair dismissal did not exist.

Mr Justice Dyson so stated in the Queen's Bench Division in a reserved judgment giving reasons why he had on November 12 refused leave to the plaintiff, Edwin John Wilson, to amend his statement of claim to add a new cause of action, namely an allegation that the Housing Corporation induced his former employer, Pierhead Housing Association, to commit an unfair dismissal.

In December 1987 Mr Wilson was summarily dismissed from his employment by Pierhead on the ground of alleged gross misconduct. In 1988 he brought proceedings for unfair dismissal in the industrial tribunal. His claim was upheld and he was awarded compensation.

In 1993 he instituted proceedings against the Housing Corporation. By his statement of claim he claimed additional compensation from the corporation by way of damages at common law.

He alleged that the corporation (i) induced Pierhead to break the contract of employment; (ii)

committed the tort of intimidation by threatening unlawfully to use its statutory powers unless Pierhead dismissed him; and (iii) committed the tort of misfeasance in public office by abusing its powers.

On the second day of the trial he sought leave to add a fourth cause of action, namely an allegation of inducing Pierhead to commit an unfair dismissal.

Mr John Hendy, QC and Ms Beverley Lang for Mr Wilson; Mr Nicholas Hinchey and Mr Paul Stanley for the Housing Corporation.

MR JUSTICE DYSON said that counsel were unable to find any previous authority on the question. Mr Hendy adopted as a correct statement of the law paragraph 22 in *Clark v Liverpool City Council* (17th edition 1995). He submitted that the essence of the cause of action was that the plaintiff had suffered the violation of a right at the hands of a third party which had been brought about by the knowledge and deliberate acts of the defendant.

It was a necessary condition of liability on the part of the defendant that the plaintiff should have an enforceable right against the third party. It was not, however, necessary that the breach of statu-

tory duty should give rise to a cause of action and be actionable by the plaintiff against the third party in a court of law.

Mr Hochhausser accepted the existence of the tort of inducing a breach of statutory duty. He submitted, however, that it was not every such inducement that was actionable.

In particular, he argued that the plaintiff had to show that the right that had been violated by the third party was a legal or equitable right which was capable of forming the basis of a cause of action, that is, capable of being sued upon as a tort: see *Associated British Ports v TGWU* [1990] ICR 557, 571B, although Lord Justice Neill was not there addressing the point to be decided in the present case.

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## No damages over broken lift

## Berrymann v Hounslow Borough Council

The tenant of an 18-storey block of flats who suffered back injury as a result of walking up four flights of stairs because the lift was unavailable was not entitled to damages for breach of the landlord's duty to keep the lift in working order.

The Court of Appeal (Lord Justice Stuart-Smith, Lord Justice Henry and Lord Justice Aldous) so held on November 21 when unanimously allowing an appeal by the defendant landlord, the London Borough of Hounslow, from a decision of Mr Recorder Atchley at Brentford County Court on July 11, 1995 to award the plaintiff, Barbara Marie Berrymann, damages of £24,374.44 for personal injury and consequential loss.

LORD JUSTICE HENRY said that the recorder applied too low a threshold of the foreseeability test. The breach of contract in question was that the lift was immobile when it was needed. An immobile lift was a safe lift.

But a lift was also a means of access and it was not unlikely that someone who was immobilised would walk up the stairs.

The fact that that might make him marginally more likely to stumble did not make stumbling a foreseeable consequence of the breach of the duty to keep the lift in reasonable repair.

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## Regina v Akbar

It was a settled rule of long standing that an appellate court would not receive evidence from jurors about discussions or other matters that took place in the jury box or jury room concerning the cases in which they were acting.

The barrier to the reception of such material was not to be found in the Limitation of Court Act 1981 but in a long line of authorities.

The Court of Appeal (Lord Justice Kennedy, Mr Justice Johnson and Mr Justice Timothy Walker) so stated on December 9 in a reserved judgment dismissing the appeals of Badrul Hussain Miah and Showkat Akbar

against their convictions on October 31, 1995 at the Central Criminal Court (Mrs Justice Steel and a jury). Miah was convicted of conspiracy to inflict grievous bodily harm, violent disorder and murder; Akbar was convicted of violent disorder.

LORD JUSTICE KENNEDY, giving reasons for the court's refusal on November 8 to adjourn and order an investigation into allegations made in a document prepared by an alleged juror, said that submissions made to their Lordships seemed to have been based upon the false proposition that the court should be prepared to consider any material the obtaining of which would not

constitute an offence contrary to section 8(1) of the 1981 Act.

However, the barrier to receiving the material was not to be found in that Act but in the long line of authorities, some of which set out in terms why the barrier had to be maintained: see *Ellis v Deir* [1922] 2 KB 113, 121.

## Correction

In *Armstrong and Others v British Coal Corporation* (The Times December 6) the firm of Thompson & Co, Sunderland, should be included among solicitors acting for the plaintiffs. British Coal were represented by Nabarro Nathanson, Sheffield.

## Human Rights Law Report

## Right not to incriminate oneself infringed

## Saunders v United Kingdom

(Case 43/1994/440/572)

Before R. Bernhardt, President and Judges Thor Vilhjalmsson, F. Göküyük, L.-E. Pettit, B. Walsh, S. Spielmann, J. de Maessene, V. Valicov, S. K. Martens, E. Palm, R. Pekkanen, A. N. Loizou, J. M. Morenilla, Sir John Freedland, L. Wildhaber, G. Mifsud Bonnici, J. Makarczyk, D. Gode

# GREECE

FOCUS

Michael Knipe on the task facing Costas Simitis and his Government: to reform the poorest state in the European Union

## Improving economy brings fresh hope

Against a backdrop of blockades and strikes by a wide spectrum of the workforce, the Greek parliament is this week debating budget proposals that are generally perceived as a vital test of whether the country can overcome its chronic economic problems and raise its head in the European Community.

Since regaining power in 1993, the Panhellenic Socialist Movement (Pasok) has made slow but marked progress in turning the economy around. Inflation and unemployment have been dropping, economic growth is increasing and trade has been booming with Eastern Europe and the neighbouring Balkan states. The Government knows that it is vital that these trends continue if Greece is ever to achieve its much desired goal of joining the European Monetary Union. But the positive developments are overshadowed by the labour unrest. Groups ranging from farmworkers to diplomats are protesting at the austerity measures in the budget.

"Metaphorically," one diplomatic observer said, "Greece had moved from a red flashing light to a green flashing light so far as its economy is concerned, but everything now depends on how the Government deals with the strikes."

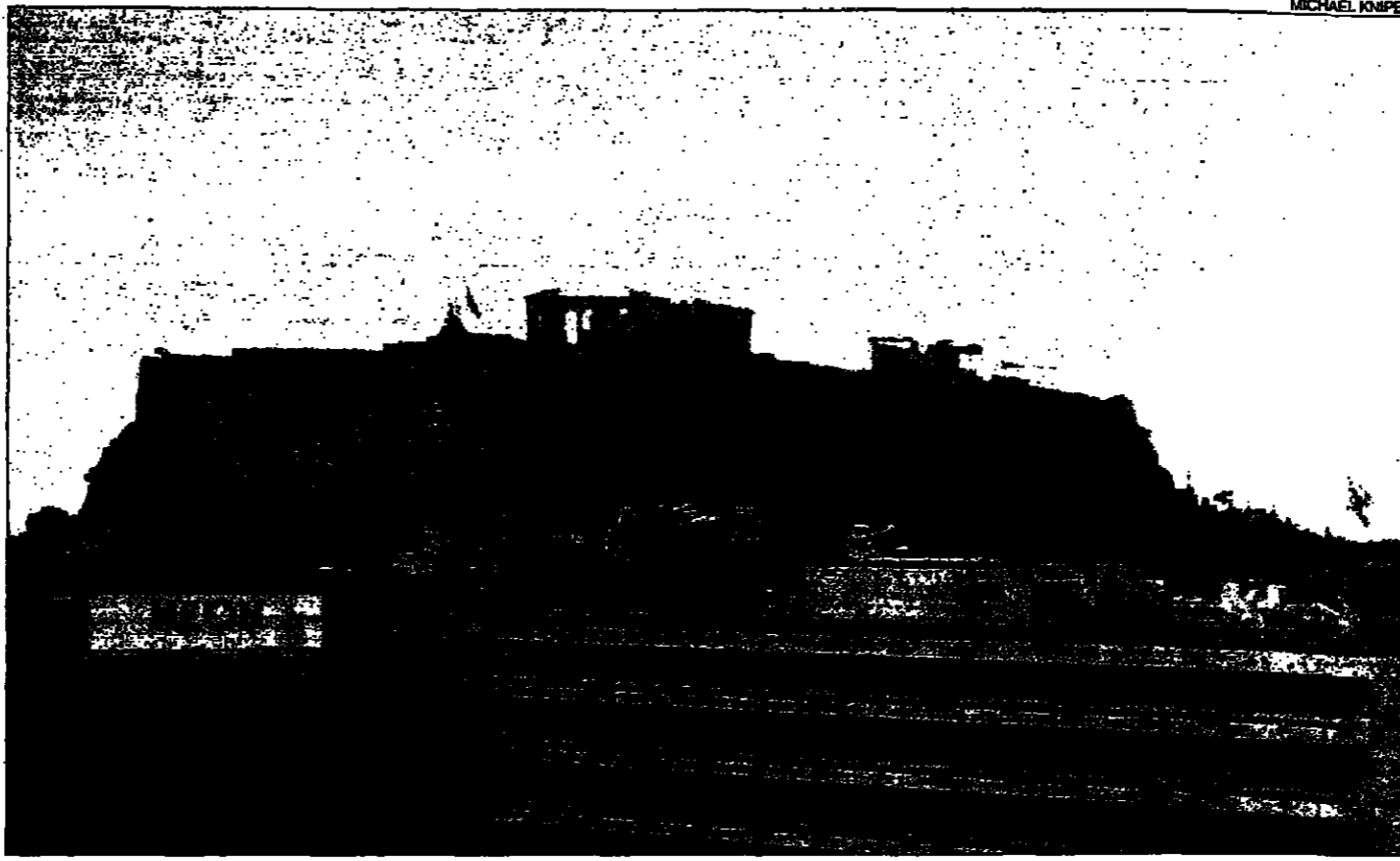
The confrontation is a stern first test for Costas Simitis, who suc-

ceeded the colourful Andreas Papandreu as Prime Minister 11 months ago. When Mr Simitis took over as Prime Minister, the ailing Mr Papandreu remained leader of Pasok and it was not until the party congress in June that Mr Simitis became party leader as well. To some international surprise, he consolidated his authority by leading Pasok to victory in a general election in September.

In sharp contrast to his charismatic predecessor, who won three landslide election victories with free-spending policies, Mr Simitis comes from the moderate social democratic wing of the party and it was evident from his previous stint as a minister that he favoured greater fiscal discipline. He has a dry, academic manner and is regarded as a rather dull but worthy figure.

His priority is to rescue Greece from its plight as the poorest and economically sickest state in the EU. But his continuing hold on the leadership is likely to depend on whether he can get people back to work without emasculating the budget and, at the same time, retain the support of the popular left-wing faction of his party.

"It is a very ambitious and quite draconian budget," said its author, Yannis Papantoniou, the Minister for National Economy and Finance, in an interview in his office, as the labour unrest gathered strength.



Seeing the light: the sun silhouettes the Parthenon, built in the 5th century BC, as one of 10,000 new developments rises from a building site

"For the first time we have adopted a severe stance on public expenditure, freezing subsidies, decreasing recruitment of staff and introducing a new wages structure that limits increases. It is always difficult to implement a tough budget. But it is vital that we do so. We cannot sacrifice the country's economic recovery to the demands of a minority."

His sentiments were echoed by Vasso Papandreu, a former EU Commissioner who is now Minister of Development in the Athens administration and responsible for expanding the Government's privatisation programme, speeding up the disbursement of EU grants and promoting domestic and foreign investment. She said: "We don't have any choice if we don't want to be left behind by our European partners."

Identification with the EU is a central tenet of Greek political thought. For years, as the poorest member of the union, the country has been on the receiving end of vast tranches of investment aid —

running at an estimated \$2 billion a year.

Under the current six-year grant programme of almost 15 billion euros, a total of 10,000 infrastructure projects are under way, including a number of large ones. These include a new Athens international airport, a bridge across the Corinth Gulf and the Egnatia highway linking the Adriatic with Istanbul.

Only now, as the Government attempts to impose the disciplines required for membership of the European monetary union (EMU), are the benefits of membership being matched by financial consequences. The country has so far failed to attain any of the criteria laid down at Maastricht for membership of the EMU and is the only member state excluded from the launch of EMU planned for 1999. But it is determined to join by the year 2001. Failure to do so might result in its membership having to wait until the further enlargement of the union with the arrival of Hungary, Poland and the Czech Republic,

said Mr Papantoniou — and that, he claimed, would effectively mean Greece losing the advantages of 20 years' membership.

Even amid the protest strikes, the Greeks remain fervent Europeans. "Everybody assumes that the ecu will be better than the drachma,"

said Thanos Veremis, director of the Hellenic Foundation for European and Foreign Policy. There was a fear among Greeks, he said, of drifting out of Europe. Greeks perceived themselves as being in a "bad neighbourhood" on the periphery and the only member state with no geographic border with the rest of the union. As a result, they saw membership very clearly in terms of European security. "The costs of being in the EU are becoming apparent and this may rock the boat," he said, "but it will not capsize it."

"Unlike Britain, Greece actually wants to participate in the EMU," said Alexis Papadopoulos, the Minister of Internal Affairs and Administration, "so all our policies are directed towards this main goal."

Mr Papadopoulos is charged with restructuring the Government's bloated administration and is in the process of attempting to reduce the number of local government authorities from 6,000 to 1,200. Under another ambitious administrative reform, only one new public employee may be hired for every five who leave.

Miltiadis Evert, the leader of the opposition New Democratic Party, bemoans the fact that, during the past 15 years, the country's economy has increased by only half the EU average. "Instead of closing the distance, we've increased it. What

### ELGIN MARBLES

THE GREEK Government is intensifying its longstanding efforts to repurchase the Elgin marbles from the British Museum. Evangelos Venizelos, the Minister of Culture, said he was encouraged by the British Government's action of returning the Stone of Scone to Scotland.

He has put in a fresh request for the return of the marbles to the British ambassador in Athens and to the Heritage Ministry in London. If necessary, he intends to pursue the matter through political and legal procedures involving Unesco, the EU and the Council of Europe.

The marbles, consisting of friezes and figures from the Parthenon, were removed, and saved from probable destruction, by the seventh Earl of Elgin, in 1803, with permission from the local Ottoman administration and sold to the British Museum.

Dating from between 467 and 432 BC, the friezes and figures are regarded as the best surviving examples of the work of Phidias.

is needed is to increase free-market enterprise, not increase taxation."

In the wake of the election, however, the New Democrats are in disarray and, in its latest social-democratic guise, Pasok has stolen much of its appeal among the business community.

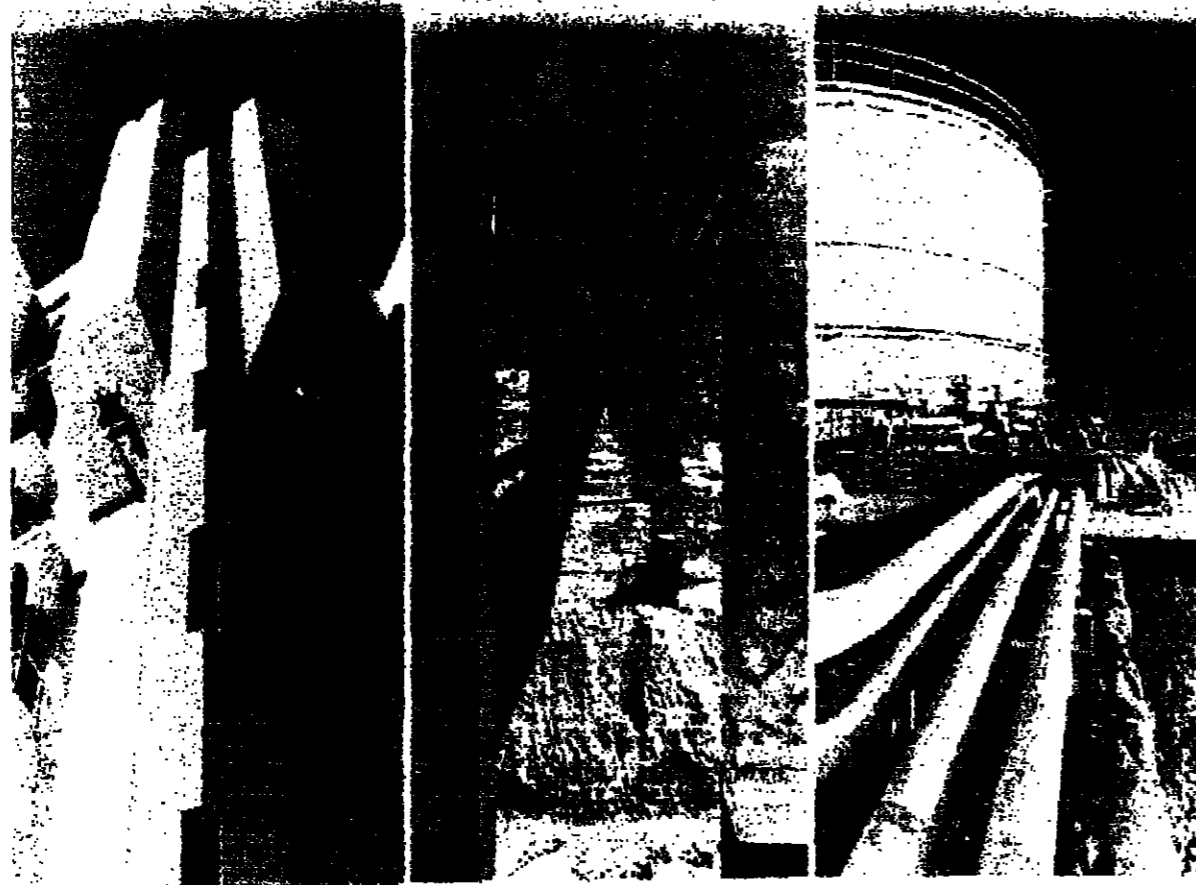
Both Government and Opposition politicians point to the fact that Greece has defence demands because of the perceived threat from neighbouring Turkey that no other EU state faces. "We have a problem of national security," says Mr Papadopoulos. "In the other European states defence spending amounts to 1.72 per cent of GNP, while for us the figure is 7 per cent. This is little understood by our European partners."

The most promising aspect on the horizon for Greece is its developing role as the EU's link with the neighbouring Balkan states as they emerge from their years of communism. Since 1990, exports to the other Balkan countries have increased by an estimated 150 per cent.

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# Tough budget rules unions

John Carr on how the Greek Finance Minister is trying to cater to the needs of his Socialist party yet still meet the demands of the Maastricht criteria

"In Greece it is not enough to wind your watch. To get it to work, you must also push the hands round with your finger."

This Aristophanean dictum, attributed to ex-President Constantine Karamanlis, the architect of Greece's European Union membership, well describes the purpose of the country's 1997 budget. The next few years will see a determined effort to keep this resource-poor nation of ten million people on the road to a vision of Europe-wide wellbeing.

The Maastricht treaty has already begun to change the way the traditionally free-wheeling Greeks live and work. But old Mediterranean habits die hard, and the Greeks have never liked fingers being applied to them.

Yannis Papantoniou, the National Economy Minister, has the unenviable task of trying to chart the Maastricht course. He has remained famously impervious to the threats of the ruling Pasok party's left wing, and the unions it controls.

Presenting next year's budget in November, he admitted it was the most controversial of the past 15 or so years. "It's a tough fight but a good fight," he said as the Greek General Confederation of Labour was dusting off the red flags for a one-day strike.

Is this a socialist government? The budget's outward rhetoric said so, but there the resemblance ends. Gross domestic product growth for next year is set at 3.3 per cent while inflation — now 8.3 per cent — is to be hammered down to 4.5 per cent. By some accounts, these are over-optimistic targets, and some business people are smirking. "We've heard it all before," a stockbroker in Athens said after the budget presentation. "Some of this looks unattainable."

Public-sector salary rises, a leading blotter of the state sector over the decades, will be kept down to 8 per cent next year, while pensioners

will get rises of no more than 2 per cent. State revenue is expected to reach 14.8 trillion drachmas, against an expected 14.6 trillion for this year. Most of the rise is to be achieved by slashing tax benefits and raising at least a trillion more drachmas in direct tax revenue.

The dizzying rise of public spending is going to be slowed somewhat, with that for next year budgeted at 13.2 trillion drachmas, or 6.2 per cent over this year. The rise for this year over last was 15.1 per cent. Generally, the aim is for public-sector savings of up to 300 billion drachmas, and here is where the cynical smiles come in. "Revenue might show fatigue," is how a report on the Greek economic outlook published by a major American bank delicately puts it.

"and the Government might be forced to take corrective measures in the summer".

There seems little doubt that the Government will make a determined effort to whittle down its budget deficit to or near 4.2 per cent of gross domestic

## ECONOMY

**6 Pensioners will get rises of no more than 2 per cent**



Farmers in Larissa block the Athens highway in protest at the Government's austerity measures

## A blessing in disguise

Last month's collapse of Delta Securities, a small brokerage firm, prompted a share dealing scandal that rocked the Athens Stock Exchange (ASE), but it may have been a blessing in disguise for the Greek stock market.

Yannis Papantoniou, the National Economy Minister, has said: "The Athens Stock Exchange will come out stronger from its recent crisis, which will be seen eventually as a crisis of cleansing and modernisation."

The ASE, founded in 1876, is the sole regulated capital market where shares of listed Greek companies and government and corporate bonds are traded. The exchange plans to bring Greece's active bond market, presently traded over-the-counter, to the bourse next year.

The Athens market is capitalised at \$24 billion and has

## STOCK EXCHANGE

232 listed companies. The Greek market's fundamentals remain attractive for investors, with a current price/earnings multiple of only 10 times for 1997. The ASE general index, which comprises of 60 leading companies, has now recovered to above the 900 level and prospects remain bright as long as structural and economic reforms are implemented.

The ASE's regulatory framework has been modified, improving regulation, operation and transparency. From the latter part of 1995, the ASE, under the presidency of Dr Manolis Xanthakis, entered a process of institutional changes, with the aim of modernising the capital market and attracting foreign investors. Dr Xanthakis has been

instrumental in attracting much-needed overseas investment with successful investor roadshows in London, Boston and New York.

Dr Xanthakis said: "The Greek market has huge potential, because it is among the cheapest markets on fundamentals as well as offering a very attractive dividend policy."

The ASE received a filip from last year's brokerage commission deregulation, reducing fees, while legal changes brought the market in line with EU directives concerning investment services and capital adequacy, as well as increasing transparency and liquidity. The market's development and transparency will be further boosted by a partial privatisation programme and the funding from the EU for a string of major infrastructure projects.

PHILIP PANGALOS

## Financiers battle against inflation

The Bank of Greece is helping to cool the economy's inbuilt tendency to overheat

Vast and wood-panelled, the office of the Governor of the Bank of Greece, Loukas Papadimos, is a quiet, comfortable place. He needs the quiet because his days are filled with brewing the proper policy mix which, after much trial and error, can reasonably be expected to cool down an economy with an inbuilt tendency to overheat.

His own equable and soft-spoken character could also be a vital ingredient in getting a Socialist government to go along with his recommendations. "There are no fundamental differences between the bank and the Government on basic policy," he says. Which is his way of saying that even if the National Economy Ministry does have qualms from time to time about the central bank's relentlessly tight money policies, it knows it cannot offer anything better. Success in the battle against inflation is Mr Papadimos's biggest showpiece.

In the past two years, inflation has been pressed down from 11.1 per cent to 7.7 per cent (a consecutive rise for a few months last spring was blamed on an unavoidable spurt in oil and farm produce prices). "Our priority is to work out a policy that will bring inflation down at least three percentage points through the year," he says. "If rates have to rise temporarily as a result, then it will be a price worth paying."

Since 1994 the Bank of Greece has been officially independent of the Greek state. This means that its governor can no longer (theoretically) be subject to political pressures. It also indicates that the Government's target of 4.5 per cent inflation by the end of 1997 has a reasonable chance of being achieved.

Mr Papadimos's tenure is characterised by an emphasis on exchange-rate manipulation rather than money and credit controls to keep the drachma hard and ward off foreign speculative tentacles. Exporters and tour operators are unhappy, but the governor is sticking to his guns. A major

objective for 1996 has been to stabilise the drachma against a basket of European currencies.

But if quiet, confident conservatism reigns in the Bank of Greece, the same cannot be said of the commercial banking sector. For a start, as of January 1997 commercial banks are going to have to start paying more taxes. The basic corporate tax on profits rises from 35 to 40 per cent while, for the first time, they will be taxed on bonds and derivatives profits at 7.5 per cent. Some government officials say it is high time.

In the space of a year, banks have profited from sales of popular one-year treasury bills, 6 trillion drachmas' worth of which were sold this year, against 5.8 trillion last year. Foreign exchange deposits in the same period soared from 4.7 trillion drachmas to 5.2 trillion. Loans to the private sector this year will total

9.1 trillion drachmas, against 7.5 trillion last year. The 1997 projection is for 10.5 trillion. And in the space of a year, prime rates have followed deposit and interbank rates on a downward course, while consumer loan exposure has

skyrocketed. All these multiplying trillions have sharpened competition beyond what was imaginable when Greek banking reforms got under way in 1987.

The architect of those reforms, former corporate lawyer Theodore Karatzas, is now the governor of the National Bank of Greece, the country's biggest commercial bank. He and other bankers believe that the state banking sector will consist eventually of two or three big banks, and an equal number of large private banks. Who survives will depend on innovations, such as the penetration of the emerging Balkan markets by such institutions as the Commercial Bank of Greece and Ionian Bank.

If anything, the realignments in the banking sector will hone the banks' efficiency, reduce costs and rates and help the national effort to cool down the economy.

JOHN CARR

## BANKING

**6 In two years, inflation has dropped by 3.4 per cent**

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- Three major hydroelectric projects of an installed capacity of 562 MW.

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PUBLIC POWER CORPORATION OF GREECE

## Rivals go to war in phones battle

TELECOMS

**D**ominating the view from the Athens office of Giacinto Cicchese, the managing director of Telestel Hellas, a mobile phone network, is the headquarters of the Greek state Hellenic Telecommunications Organisation (OTE).

Mr Cicchese could permit himself a smile that the Italian-controlled company had left the lumbering state telephone company far behind. That is, until recently.

For in 1997 OTE is to strike back with its own cellphone service, a DC1800 mobile network. Potential partners have been shortlisted. Egged on by the European Commission — which does not approve of the Greek mobile phone service duopoly (Telestel's rival is a locally controlled firm, Panafon) — OTE is on the verge of starting up a cellular network that will cover mainland Greece and the islands.

On the face of it, there is room for expansion. By the end of the year both Telestel and Panafon will boast 460,000 subscribers between them — a 50 per cent rise in just six months. Five per cent of Greece's 10 million people have a cellphone. Panafon — in which Vodafone has a 45 per cent stake — is in front by a narrow margin.

But just when both companies, having spent €600 million in four years, were about to start dreaming of profits, OTE had to step in and spoil the fun. "For a long time," Mr Cicchese says, "the Greek state telephone company failed to realise what was going on."

Now the giant has awakened, both he and his rival, Socrates Kokkalis, are joining forces to challenge the challenger. The Greek Supreme Court has before it their argument that the original 1992 mobile telephony licensing agreement gives them exclusive rights in Greece until 2000. Lawyers for the utility counter that OTE was unfairly excluded from the 1992 bidding and that its fixed-wire access charges have remained unchanged in four years.

OTE has strong support, and not just in Brussels. Its 120 billion drachmas project, for which Credit Suisse First Boston is an official adviser, is wooing potential partners such as France's Bouygues, Germany's Mannesmann Europe and Britain's Orange.

The winner could be picked as early as this month. In technical terms, the DC1800 system has more than twice the capacity of the more conventional GSM systems which Panafon and Telestel operate. OTE's target is 40 per cent of the cellphone market in the next three years.



Costas Simitis, the Greek Prime Minister, was accused of mishandling the Imia affair

## Old Aegean foes

Richard Owen reports on fresh efforts to ease tensions over Cyprus

FOREIGN AFFAIRS

**A**s Greeks and Turks celebrate the coming new year, both will vividly recall that it is barely a year since President Clinton telephoned the leaders of both nations in a bid — successful, as it turned out — to avert a war in the Aegean between two Nato members.

Whether Greek-Turkish tensions erupt again in the course of 1997 may depend not only on the progress of international arbitration over the contested Aegean islands at the heart of the dispute a year ago, but also on another of the many points of contention between the two quarrelling members of Nato's southern flank, Cyprus.

Negotiations for Cyprus's membership of the European Union are due to begin as soon as the inter-governmental conference (IGC) on the revision of the Maastricht treaty is completed, which is likely to be by the end of 1997.

If Cypriot EU negotiations coincide with progress on resolving the bitter division of the island — with Sir David Hannay, Britain's special envoy, giving fresh impetus to

UN efforts — Greek-Turkish relations will ease as a consequence.

However, given the mutual mistrust between Athens and Ankara, tensions could also arise on a range of unresolved issues from territorial waters and air space to drilling rights in the Aegean. Greece's Mediterranean policy — indeed, its overall foreign policy — is dominated by the Turkish threat.

The 1996 "near war" revolved round joint claims to a tiny, rocky and barren island in the Dodecanese chain, called Imia in Greek and Kardak in Turkish. It took all the skills of Richard Holbrooke, the senior American diplomat who had brokered the Bosnian peace agreement, to calm the situation down.

Costas Simitis, then as now Greek Prime Minister, was accused of mishandling the

affair, and in the ensuing row fired the then Greek chief of staff, Admiral Christos Lyberis.

For the Greeks, Imia, which is under four miles from the Turkish coast, was and remains an issue of principle. The 1923 Treaty of Lausanne gave Greece most of the eastern Aegean islands except the Dodecanese. But they too passed to Greece (from defeated Italy) after the Second World War — although the Turks maintain that the wording of the 1947 agreement is ambiguous.

**A**long with Cyprus, the simmering row over Imia — and a thousand other tiny islands — has put the Greek-Turkish standoff near the top of the Western "problem solving" agenda after Bosnia. On the other hand, the West has

noted with relief that both Greece and Turkey have domestic preoccupations which, for the time being, are keeping the conflict off the boil. Turkey, in addition to the Kurdish question, is preoccupied with keeping intact the fragile coalition formed in June by Necmettin Erbakan, leader of the Islamic Welfare party.

Mr Simitis is keen to get a grip on Greece's rising defence costs and use the resources to help the Greek economy meet EU criteria instead.

Diplomats in the region hope that the desire of both Turkey and Cyprus for EU membership will provide a "European framework" for progress toward a bi-zonal and federated Cyprus, and that international crisis management will continue to keep the lid on tensions.

Recent history offers plenty of scope for less optimistic forecasts, however. According to the UN, both Greece and Turkey are among the world's biggest importers of conventional weapons, and are building up their armed forces at a time when most Western nations are cutting back.

## Taxes could sink the fleet

**G**reek shipowners are one of the world's stock characters. Since the heady days of the Onassis and Niarchos empires, they have built up and maintained a maritime power that rests on some \$60 billion in combined assets. John Carr writes. Twenty-eight shipowners control more than 1 million tonnes of merchant hulls.

Most of those billions, and most of the hulls, have only a tenuous connection with Greece itself. The Greek flag is raised on only a third of their vessels; the rest are decorated with flags of convenience.

Now the Greek Government plans to impose a host of taxes on shipping and related activity as of January 1, 1997. The taxes, shipowners fear, might well drive masses of vessels away from the Greek flag and plunge the now-bustling port of Piraeus — not to mention the Greek economy — into terminal decline.

The magnates are not worried for themselves. Whether in Piraeus or New York or London or Monte Carlo, they can still control their 3,200 ships (130 million tonnes, or one-sixth of the global merchant fleet).

But most shipowners would like to maintain more than a name-only connection with their homeland. Besides, the Greek-flag fleet of 29.5 million tonnes is almost exactly half the European Union total, which means Greece can steer European maritime policy.

In October the EC decided that Europe's shipping establishments need more, not

fewer, incentives to growth. Which makes the Greek Government's actions all the more inexplicable.

As of January, if all goes to plan, all tax exemptions on the buying and selling of vessels, transfers of ship equity in part or in whole, borrowing money from banks to buy ships and ship repair jobs are abolished.

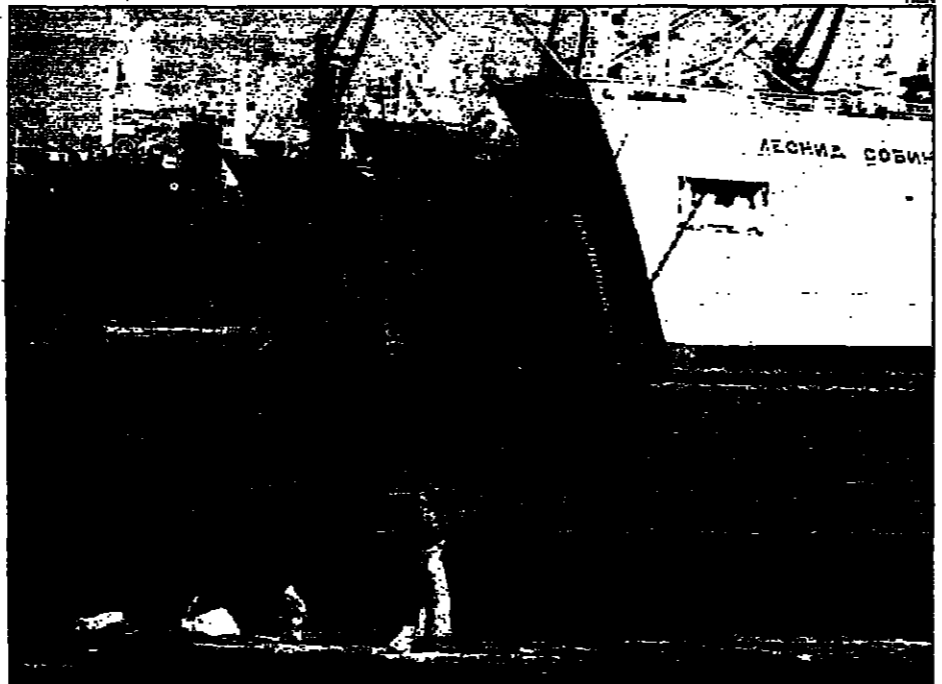
Even before the tax change, low freight rates had slowed up a two-year shipping spree by the Greeks, who had been snapping up secondhand bulk carrier tonnage to cash

in on a vigorous Far East trade. This autumn, overcapacity and high overheads fuelled a flight from the Greek flag. The Government's blow falls just at the wrong time.

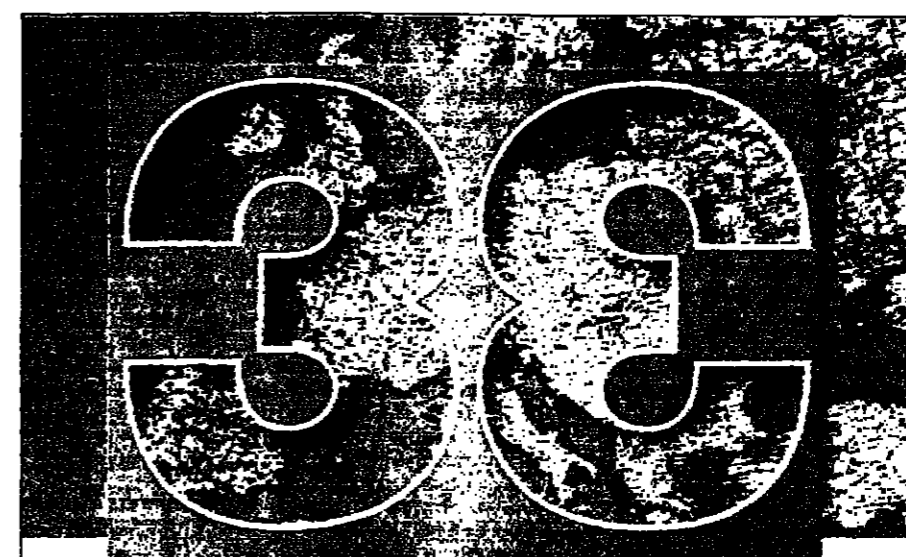
For passenger ferry operators, the future looks considerably rosier. Since war in former Yugoslavia choked off that country as a surface access route to Greece, truckers and motorist tourists alike have had to use the only alternative — the ferry route from Italy. Profits have come flooding in.

Most successful has been Attica Enterprises, which operates two new cruise liner-standard ferries, aptly named *SuperFast I* and *SuperFast II*, which do the Ancona-Patras route in a record-breaking 20 hours. Attica has said it is spending \$200 million for two more fast ferries.

The competition is being spurred into action. Minoan Lines is spending \$110 million on a 31,000-tonne boat-rod of its own, to place alongside its new *Aretousa* and beat the 20-hour record. If this keeps up, the Adriatic Sea could become a distinctly unsafe place on which to go sailing.



The Greeks have built up a shipping empire worth \$60 billion in combined assets



## Growth

3E's steady growth over the past years has been the result of the company's unrelenting commitment to customer satisfaction and its continuous long-term modernization initiatives. Recently, 3E has started to expand beyond Greece. Driven by the same values and principles but with new goals in sight, 3E will continue its efforts to grow and progress, and to broaden its horizons.



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## BALKAN INVESTMENT

### From rusty ships to football pools and ice cream

**N**ineteen years ago Constantine Kallentzis, a ship broker based in the northern Greek port of Salonica, received a strange request. Albania, then deep in Stalinist isolation, wanted him to run its tiny fleet of merchant ships.

"The regime was quite serious and genuinely seemed to want to learn how to do it," says Mr Kallentzis, who still manages the Albanian state merchant fleet — all of eight rusting hulks — as part of his Salonica business, Naftilos Maritime Limited.

For years he was one of the few foreigners allowed into Albania (he declines to say why the Albanians picked him). In 1991, when communism was history, Naftilos set up a branch in Albania's capital, Tirana. The country's economy remains one step away from chaos. Maritime law does not exist. The ships themselves are falling apart. "We're spending all our money on repairs," says Mr Kallentzis, although he admits his company earns an undisclosed freight commission from Albania.

Mr Kallentzis says the hardest task of all is to inculcate a modern business mentality in the Albanians. After 19 years, he is nothing if not patient. "You can't become a capitalist overnight," he says. Greek economic penetration of the Balkans thus far has required precisely that attitude.

Spearheading the pack is Intracom, an electronics and telecoms equipment conglomerate, which has ploughed

hundreds of millions of dollars into Balkan ventures from lottery and football pool systems to cardphones. This year Intracom signed a \$40 million deal with the Bulgarian Government to computerise its state sports lottery in return for 5 per cent of the revenues.

Headed by Socrates Kokkalis, one of the most influential people in Greece, his unassuming manner and love of football (he owns Olympiakos) plays well in Eastern Europe. Building on the profits from state lotteries in Romania, Moldova and Russia, plus a 68 per cent stake in Bulfon, a Bulgarian telecoms firm supplying cardphones, Intracom is pushing its line forward. Last month it signed a \$10 million contract with HTC, the Hungarian telecommunications organisation.

"You really don't have to try too hard in the Balkan markets," is how an executive of Hellenic Bottling Company sums up the very open market. The company handles the Coca-Cola franchise in Bulgaria and Romania.

**D**elta Dairy SA, a big milk, yoghurt and ice cream producer, has built an ice cream factory in Varna, Bulgaria, and says it knows the secret of survival in a risky environment. "The return on investment should not be demanded back immediately," a company statement says. "Profits must be ploughed back for a couple of years."

JOHN CARR



In 1995 the Greek economy entered into an era of economic recovery. Close adherence to the Convergence Programme brought down inflation rate to single digit for the first time since 1973, while GDP increased by more than 2% which is above the target of the Convergence Programme. Likewise, interest rates on 1 year Treasury Bills decreased by approximately 3.3 percentage points since the end of 1994 and by almost 4 percentage points on an average basis. Private investment activity, which increased by 7% was complemented by a strong rise in public investment by 20%. The increase in private investment contributed to the widening of the balance on current account. However, in the long run, the development of new infrastructure projects will increase employment and output.

The overall improvement in macroeconomic figures led to an upsurge of the Greek capital market. Equities market capitalization at the end of 1995 equaled approximately GRD 4 trillion, thus showing an increase of 23% as against the end of 1994, while the A.S.E. General Price Index increased by 5.2% during the year, as opposed to a 9.3% decrease during 1994. Equities turnover increased by 11.3% over the year. Capital raised by IPOs in 1995 decreased by 75% since 1994 but the variety of companies being listed was reinforced. The P/E ratio equaled 9 at the end of 1995. The overall performance of all listed stocks, as defined by their daily price changes adjusted for dividend payments, improved in 1995, and the majority of stocks exhibited positive returns. Thus, in 1995, shares in the main and the parallel market showed a

return of 17.9% and 36.7%, respectively.

The introduction of new products into the capital market, as well as trading by remote access is expected to enhance the appeal of the capital market both to investors and to issuers. We believe that the sector most likely to outperform the General Price Index is the Construction companies' as it will benefit from the implementation of major infrastructure projects financed by the E.U. Furthermore, the majority of listed companies will be influenced by the harmonisation and expansion of trade in the Balkan area, since as mentioned by the «Emerging Markets Analysts»: «...the Greek corporate sector will likely be the biggest commercial winner of the new Balkan peace agreement».

Trading facilities available from the newly established Exchange Center in Thessaloniki will extend the capacity of the capital market, while preserving its unity. Shares of companies operating in the Balkans are expected to be traded therein, reinforcing the international profile of the Greek capital market. Finally, the dematerialisation of shares within the first trimester of the year will speed up the settlement procedure. The ultimate goal is to achieve a settlement time of T+2, as opposed to T+4 which is the rule today.

As political and economic stability settles down to normal in the Balkan area, Greece assumes again its important position linking European Union with the Balkans, the Black Sea and the Middle East. It's time investors showed faith into the Greek capital market and established the ATHENS STOCK EXCHANGE as the NEW PLACE TO BE.



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Michael Knipe meets the Mayor of Athens, who is helping it to recapture the glory of Greece

# My dream is to bring home the Olympics

A giant crane is situated in the centre of the temple of the Parthenon atop the Acropolis and another in Syntagma Square, where the view of the elegant 19th-century Greek parliament is blocked by construction-work hoardings.

Amid the sprawling concrete apartment blocks of central Athens, the neoclassical delights of the Academy of Science, Athens University and the National Library buildings are similarly afflicted, with the surrounding pavements dug up and the pneumatic drills competing with the traffic noise.

The immediate cause of most of the construction work is the extensive excavations being carried out to implant a modern £1.25 billion three-line metro system. This has created more than 50 underground excavation sites across the city. The metro project is the primary element in a substantial programme of renovation aimed both at modernising Athens, recapturing something of the glory of its past, and reinforcing its efforts to host the Olympic Games in 2004.

For years the city has been synonymous with the worst symptoms of urban decline: toxic smog, traffic jams, overcrowding and incompetent administration. This was brought home to the world when it became evident that the monumental marble pillars of the Parthenon, having survived for 2,500 years, were crumbling away like sandstone because of the ravages of the 20th century.

The European Union declared Athens the most polluted city on the Continent. In a desperate attempt to alleviate the smog and congestion, cars have been banned, according to their registration on odd or even days. Last summer, temperatures of 102°F forced the banning of all private cars and half of the taxis from the city centre.

With a population that has ballooned since the 1950s to 4.5

million — nearly half the population of Greece — Athens also has to cope with eight million visitors a year. Its infrastructure has been stretched beyond its limits.

But a new mood is emanating from the recently refurbished City Hall. Dimitris Avramopoulos, the Mayor of Athens, says: "There are a lot of changes under way. The first phase of the metro project will be ready for use next November and will serve half a million people a day. When it is completed it will have the effect of removing 400,000 cars off the streets."

"Athens, at present, is a huge workshop but even in a year's time a lot of things will be different. Already pollution has been reduced by 30 per cent."

This had been done, says the

functioned for the previous 17 years, and back into the original Athens city hall, an elegant neoclassical edifice which, during that time, had been left virtually derelict. At his direction the old municipal building, inaugurated in 1874, was redecorated in neo-Homeric grand style.

Visitors are greeted by a bust of Pericles on the landing of a great staircase. Oak doors, 15-feet high, dominate the palatial reception rooms. Ancient Greek and Macedonian motifs are everywhere. Two backlit glass cabinets house miniature effigies of all past mayors, meticulously costumed and startlingly life-like, in a miniature Madame Tussaud's.

The city flag — also an Avramopoulos concept — features a central profile of Athens, the goddess of wisdom. "The refurbishment of the city hall symbolises our determination to return Athens to its former glory," says Mr Avramopoulos. "Our first objective is to enhance the city's sense of its own identity, to reinforce its significance on the consciousness of its citizens. The future of this city is still its past, so we must protect our heritage."

"Athens should be a symbol for the whole world — for all the people who share the values that were born here. It is not the political capital of Europe, neither is it the cultural capital, but it is the historical capital."

The mayor heads a 40-strong city council, in which the New Democracy councillors enjoy a majority of ten, and operates with an annual budget of 107 billion drachmas. Under the Government's austerity programme, he says, the Athens council cannot obtain any more funding from the central administration but it has been given the right to impose local taxes.

The first taxes it is imposing are



The Mayor of Athens: "The future of this city is still its past"

10 billion drachmas on the buildings in the city being used by the central administration. "The Government is shocked," the mayor says with a smile of triumph. He maintains that the city, whose bid to host the games in 1996 failed, has a realistic prospect of hosting the 2004 Olympics. "Athens, this time, is ready," he says. "The Olympics infrastructure is 80 per cent complete. The new metro will be capable of carrying 780,000

people a day, a new international airport with an annual capacity of 16 million passengers is due for completion in the year 2000 and comprehensive improvements to the road network will be finished." Athens is also, he claims, the Continent's least violent capital with the lowest rate of drug use. "There is a passion behind our bid to stage the Olympics. Should we win it will be a fitting testament to the renaissance of our city."

## Unearthing a city below the pavements

Train tunnels have revealed ancient treasures, Helen Iatrou reports

Ancient and modern versions of Athens have been unexpectedly exposed to each other through one of Europe's largest current construction projects — the development of the Greek capital's underground metro network.

Two giant excavators, known as the Metro Mice, are tunnelling a solution to Athens's suffocating transportation problem and have, in the process, uncovered a goldmine of archaeological finds. They date from Neolithic times, via the 2,500-year-old age of Pericles to the 14th-century Byzantine period.

Trapped for centuries under layers of rubble, the finds — 2,000 in all — are to be displayed not only in museums but also in their new setting alongside passengers' platforms, providing a novel feature compared to most other European

metro construction has proved to be the biggest archaeological excavation in recent times," says Li-ana Parlama, head of the 40 archaeologists supervising the finds. "Some amazing discoveries have been made, though damages have also, inevitably, been registered in the drive to complete the network."

Contractors say that, due to the difficulties posed by digging up a well-situated city like Athens, an additional Dr100 billion (£260 million) is required. Metro employees are back on the job but the two Metro Mice are taking a break until early next year while the parties concerned and the Government meet this month to find a solution to these technical problems.

Among the most important discoveries of the dig, which is 90 per cent complete, has been a marble column engraved with the names of 21 Athenian riders, and their tribe, killed during the 5BC Peloponnesian Wars. One of the most ancient finds is an 11th-century BC grave of the

post-Mycenaean era, found just under Athens's Syntagma square.

The rarest find is a 5th-century BC bronze head of a semi-lifesize statue, found embedded in a wall underneath the National Gardens.

The most unusual discovery is a well-preserved grave of a small hunting dog, which included the owners' belongings and nails from the dog's leather collar. The most expensive finds were made at the Kerameikos station. They feature about 1,000 ancient graves, spread over one acre square, with a rich collection of artefacts covering ten centuries from the 7th century BC to the 3rd century AD.

What Mrs Parlama describes as "the greatest find" were sprawling Roman public baths of the 3rd century AD, 157 metres long.

Their existence was unknown to archaeologists, even though they were found only 10cm beneath the asphalt on busy Amalias Avenue near the Tomb of the Unknown Soldier.

What the archaeologist described as a "very pleasant surprise" was the discovery of a 100-metre ancient roadway, totally intact.

Other star attractions include post-Roman luxury villas with rare wall frescoes, already moved to the Byzantine Museum; workshop installations of the 4th and 5th centuries BC with foundries for the production of copper statues; remains of Emperor Adrian's aqueduct, water supplies and drainage networks and other infrastructural evidence.

All together, Mrs Parlama says, the discoveries now allow the experts to put together a much clearer picture of ancient Athens. She says it renders imperative the construction of a Museum of Athens which, astonishingly, it does not already possess.

### 6 Metro Mice uncover a goldmine

#### INFRASTRUCTURE

Should we win it will be a fitting testament to the renaissance of our city

mayor, by the introduction of bylaws pedestrianising a triangular section of the city centre between Syntagma and Omonia squares, forcing the worst old cars and buses off the streets and closing down big industrial projects situated in the centre of the city. "I hope that by the end of the century, Athens will be one of the cleanest cities in Europe," he says.

The mayor, a suave and vigorous 43-year-old former diplomat and member of parliament for the conservative New Democracy Party, has, in the first two years of his four-year term as mayor, brought a dynamic style of leadership to municipal affairs.

Nothing illustrates this better than his decision to move his municipal office out of the drab 1960s concrete block where it had

## ATHENS METRO

One of the major infrastructure projects and particularly the most complex under construction in Europe nowadays, is the Athens Metro project.

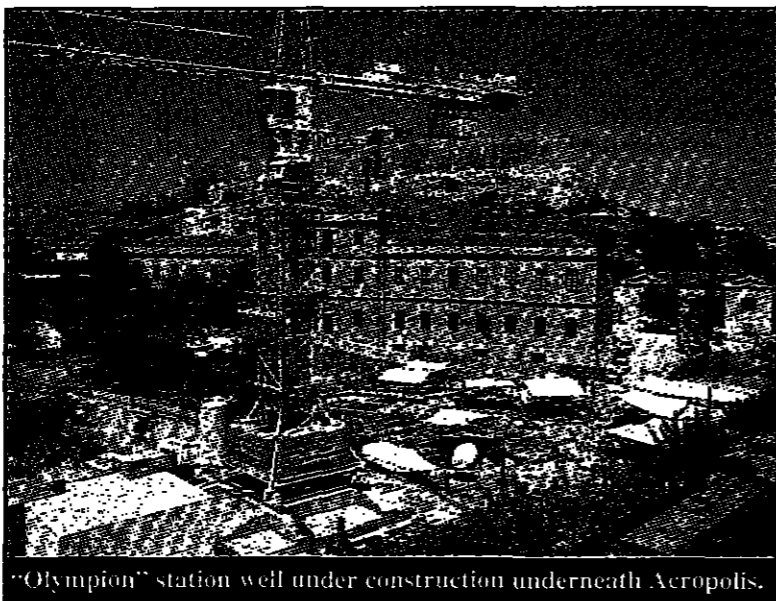
Athens, since 1869, already had a suburban connection of the City with Piraeus — the main Greek port. This line developed in a metro line of 26km length. The major decision was to construct two new metro lines, fully underground, with three connection points with the existing line.

In June 1991, following an international tender, the Greek state signed a lumpsum price turnkey contract with Olympic Metro, a consortium of 22 companies from France, Germany and Greece, led by Siemens and Interinfra SA.

ATTIKO METRO S.A., a new company, was charged with the management of the project and the operation of the system after completion. The staff of this company consists of international mass transit experts from Bechtel International Inc., providing technical and project management support, who work jointly with experienced Greek engineers.

The new Metro lines, 18km with 21 stations radiate in four directions from Syntagma Square — the most central point of the city. The new Metro lines will operate within 1999 and will serve approximately 450,000 passengers daily, in addition to the 300,000 passengers currently being served by the existing line. The train intervals in peak hours will be 3 minutes and the entire system will be accessible to persons with special needs.

The total budget for the main project amounts to 2 billion ECU. The European Union and the European Investment Bank are financing up to 90% of the project through grants and loans respectively, while the remaining funds are being provided by the Greek state. This funding pattern



provides guarantees to ensure the necessary sources through the completion of the project.

Today 3400 workers employed in more than 50 locations throughout the city are realizing this enormous project on a day-to-day basis. To date, tunnelling operations have completed almost 10km of tunnels, while all 21 new stations are well under construction with works concentrated on architectural finishes and electromechanical installations. The majority of the archaeological excavations that preceded the main construction works and covered a vast area of 70,000sq.m. revealing archaeological finds 30 centuries old, have been almost completed. Plans have been made for some of these artifacts to be exhibited in mini-museums at selected stations of the new Metro lines. Overall, more than 50% of the project is complete and all time schedules seem to get close day-by-day to the operation date in 1999.

Any assessment of this project's value should look beyond numbers of users, to the other long-term benefits it will bring to the metropolitan areas. The quality of life for Athenians will

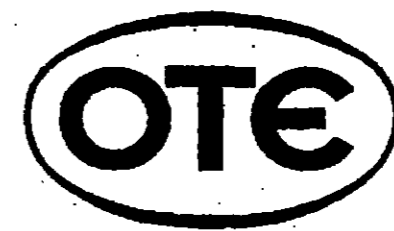
be upgraded and the city will become more attractive for tourists and business visitors. But the most significant contribution of this project will be to the environment, since it is anticipated that a drastic reduction in daily automobile trips will occur, which inevitably will decrease air pollution. Moreover, Metro users will realize a time saving of over 50%, compared to making trips with other modes of transportation.

Unlike the past, Athens of today is determined to build a better future for the generations to come and in this future the Metro project may very well be a part of the gateway for the modern Greece of the 21st century.



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## HELLENIC TELECOMMUNICATIONS ORGANISATION S.A.



OTE is the telecommunication operator in Greece with a monopoly to provide fixed telephony until the year 2003. In 1995 its income before tax was 830 million dollars and in 1996 as estimated, the net income before tax will be more than \$1 billion.

Its total revenues constitute some 2.5 percent of Greece's national GDP and it is the most profitable company in the country.

The remarkable organization is now changing from its base as a telecommunications monopoly into a modern, competitive company, determined to expand its markets and realize the strong potential of its position.

Its mission is to consolidate that position as the dominant telecommunications company in Greece, so that long before the year 2000 — when its domestic monopoly ends — it has a commanding lead, in not just voice telephony but also in the complete range of wireless data and other emerging telecommunication services.

This year alone OTE plans capital expenditure of 1.1 billion dollars. Over the next five years it has plans to spend more than 3.9 billion dollars on exchanges, networks and interconnection projects. This investment will bring benefits throughout its operations.

OTE's capital expenditure will be financed by three sources. Firstly, it has strong cash flow. Given its projected rate of increase in revenues OTE expects future cash flow to be sufficient for funding both its operations and its investment plans.

Secondly, the equity offering has partially financed its 1996 Cap-ex.

Finally, a significant proportion of its capital expenditure will be increased by European Union subsidies or by joint ventures with strategic partners.

OTE's ambitious investment programme is reflected in the additional debt it has been incurring over the last few years. Though its net debt to equity ratio rose until 1995, the equity offering has returned leverage ratios to below those of 1992. OTE's balance sheet is very strong.

OTE has a significant potential for revenue growth. Operating costs should grow moderately and its capital expenditure should be largely financed through its cash flow. That means it expects to see strong bottom-line growth. Net income is expected to grow by a compound annual rate in double digits over the next five years. This is a health picture.

OTE has seen both revenues and profits grow significantly. Its revenues have grown at an annual compound rate of 8% in real terms, rising from 211 billion drachmas (\$879 million) in 1990 to 593 billion drachmas (\$2.5 billion).

In order to increase further its revenues, OTE is implementing a substantial capital expenditure programme to modernize its network, in an investment that enables the company to bring real, tangible benefits to its revenue stream.

Digitalizing its network also enables OTE to time-charge local calls and increase revenues by charging the full duration of each call. By the year 2000 the company should reach 80% digitalization of the entire country, so it will be doubling its revenues from this untapped market.

OTE's network is becoming more and more sophisticated and is able to introduce new value-added services such as voice mail, call-redirection and call waiting.

Finally, by increasing the number of completed calls in this

way OTE can further boost revenue from its fixed telephone network.

The company is already seeing a positive change in its revenue mix: income from new services, which provide higher margins, is taking a greater share of its total revenues. Its operating income rose by 15% and its net income also rose by 11% each year.

Its margins have been rising in the last few years. The operating margin rose from 27% in 1992 to 40% in 1995. In the same period its net margin rose from 16% to 24%. These figures reflect OTE's ability to rapidly adapt to more modern operating conditions, with a steadily improving network, a business-minded management team and a rationalized work force.

It also has considerable flexibility to rebalance tariffs. Time charging for local calls is realizing untapped revenues in its basic telephony business. It is introducing new value-added services and it looks forward to the increasing traffic generated by PCN, paging and its expanding international services. OTE's forecasts suggest that its revenues will continue to grow at a double-digit rate.

In the field of operating costs OTE has seen annual growth, in real terms of 4% during the past five years.

As it grows OTE is focusing on operating more efficiently and controlling labour costs and has a strategy for rationalizing staff levels. At the same time it is realizing efficiencies by restructuring its organization.

There will be an increase in its sales and marketing workforce, particularly in view of enhanced focus on the customer. On balance, though, it expects staff costs will continue to decrease.

The increased productivity becomes most obvious when viewed on a 'line per employee' basis. OTE's current ratio of 210 lines per employee is so good that it ranks 5th amongst European telecommunication companies. And it will get better. By 2000 the company expects the figure to rise.

The company is determined to take advantage of the remarkable opportunity it faces today and to focus on the activities within the domestic Greek market, which forms the heart of its operations.

Its market share is expected to increase steadily in the coming years. In this way its investment programme will deliver real benefits to its business in terms of increasing both revenues and customer satisfaction.

To achieve its goal of creating a competitive company culture, OTE has segmented its customer base. Each segment has distinct service requirements and revenue-producing potential.

To serve them, the company has established distinct channels dedicated to understanding their specific needs. During the past year OTE has successfully established a major accounts management team and is currently upgrading its nation-wide chain of tele-shops.

To support these sales channels, OTE has developed a portfolio of products and services which can be tailored to the segment they serve and be provided to residential customers with basic telephone lines as value added services, which widen the company's offerings to the customer and aid its move into the mobile telephony market. Greece is an exciting country with an emerging economy. Telecommunications is one of the world's most dynamic industries. In OTE these opportunities go hand in hand.



THEATRE 1

Jessica Lange prepares for her West End debut in the 'inexhaustible' role of Blanche DuBois



THEATRE 2

... while, on Broadway, Joel Grey wows the crowds in the Kander and Ebb musical *Chicago*

THE TIMES ARTS



THEATRE 3

A miniature Sondheim musical, *Marry Me A Little*, comes to the London fringe



TOMORROW

Has Alan Parker succeeded in turning *Evita* into a great film? Read Geoff Brown's view

THEATRE: A double Oscar winner hits the West End in a modern classic; plus reviews from New York and London

# Looking for the right home in Tennessee

Few theatrical debuts in recent years seemed as brave as that by Jessica Lange on Broadway in 1992. In a season in which movie stars were returning to the stage en masse — Glenn Close, Gene Hackman and Richard Dreyfuss in *Death and the Maiden*, Alan Alda in Neil Simon's *Jagged* — Lange was making her New York professional stage debut as Blanche DuBois in Tennessee Williams's *A Streetcar Named Desire*. Not bad for someone whose theatrical CV up to then consisted of early work during her expatriate period in France and a summer stock production in North Carolina of an original play whose name she no longer remembers.

Fourteen years as partner to the pre-eminent American dramatist Sam Shepard, however, presumably counts for something: although Lange says the couple do not talk theatre — "our lives are so filled up with children and other things that that kind of stuff within the home takes precedence" — she clearly recognises quality when she finds it. (Lange has three children, two by Shepard and an older daughter by her previous companion, Mikhail Baryshnikov.)

In the event, director Gregory Mosher's *Streetcar* revival, with Alec Baldwin as Blanche's destroyer, Stanley, did near-capacity business for six months. On the strength of those names, Amy Madigan's Stella included, how could it not? It was bolstered by a Tony Award nomination for Baldwin and a steamy ad campaign promising an evening of sweaty sex that Williams's tragedy is hardly about. But along with the crowds came a cache of disappointed (and some damning) reviews alongside — on Lange's part, at least — of unfinished business.

That is why the two-time Oscar winner, now 47, accepted Peter Hall's offer to tackle the part anew in the West End, having followed the Broadway run with a separate

Will London prove a happier hunting ground for Jessica Lange in her third shot at Blanche DuBois? Matt Wolf reports

CBS television version that again featured Baldwin (with Diane Lane and John Goodman as Stella and Mitch). At a point when most performers would have fled away their reviews and moved on, Lange is preparing a third *Blanche*, suggesting in the process a devotion to the role comparable on this side of the Atlantic to Kenneth Branagh's pursuit of *Hamlet*.

"This character is pretty inexhaustible," Lange says. "I never tire of the discovery of Blanche. I just knew with a different cast [Toby Stephens and Imogen Stubbs as Stanley and Stella] and a different director, it was going to have a whole separate life from the other two I had done before, and it does. I haven't given one thought to the run we did in New York."

Lange is not keen to dwell on the Broadway engagement. "What scared me about that experience was that it wasn't the right combination, and had I been more experienced, I would have understood it wasn't right." But she defends a decision about which "I suppose you could say I was foolhardy, but I never thought of it like that. Blanche was a part I really loved and thought I could play and bring something to, and I felt that if I was going to do theatre, I wanted to do something that meant something to me."

The headlines about movie stars invading Broadway no doubt had their own damaging effect. "I think that worked against all of us. It's like when you live in a small town

and you see a provincial snobbery based on nothing — that's how I feel about the New York theatre world: they have this pretentious snobbery when, I mean, I can barely sit through most Broadway plays. But they're commercial. It's the same thing with films — they're commercial but they're nothing. I can sit through and they make \$150 million."

"The bottom line is I think I'm just out of the loop. What I like, other people don't like, and what other people flock to, I find unbearable."

In any case, Lange became a film star more by circumstance than conscious choice, and is quick to forestall any idea that theatre is something to which she might be seen to be condescending. "It wasn't that, back in acting class in the 1970s, I said to myself, well, I'm going to do movies. I'm not going to do theatre," says the actress, who began her screen career in King Kong's furry paw before establishing her heavyweight credentials in 1982 with back-to-back performances in *Tootsie* and *Frances*, the latter of which introduced her to co-star Shepard.

Lange says: "You kind of get taken along the path destined for you. I started getting film roles, and it just became more and more that it was never a decision that I wanted to be a film actor as opposed to a theatre actor; it was just the work that came my way." The problem, of course, is that once launched, screen careers have to be maintained — so that even if you

want to do theatre, that may not be the wish of the numerous business interests that surround you.

"The first time I did *Blanche*, nobody wanted me to do it; the second time," Lange laughs, "nobody really wanted me to do it. But nobody has ever made decisions for me. I've been influenced sometimes against my better judgment to do something I felt strongly I shouldn't do. I let myself get talked into it because of those very reasons — it's commercial, it's money — and it has always been a mistake."

She praises the "much healthier attitude to acting in Britain. In America, because of the money involved and because of the machinery of Hollywood, it is really an unhealthy environment for actors. The rewards are actually very destructive because they are so out of proportion to the talent and it is all extremely seductive. If people are going to get \$15 or \$20 million to do some bad part in some bad movie, they're going to take that instead of making a couple of hundred dollars a week rehearsing a play; it has to do with the integrity of the individuals."

Beyond *Blanche*, Lange cites the Princess in *Sweet Bird of Youth* and O'Neill's Mary Tyrone as roles she would like to do on stage, though she turned down a chance at Chekhov's *Three Sisters*, claiming she was too old to play any of them. Theatre work with Shepard remains an unfulfilled hope. "If there were ever a part [for me] in his plays, I would do it, and I would love to be directed by Sam on stage. "I know the work I did on stage in New York was good, and I also know when I've been lazy. With a part like *Blanche*, you can only be honest with it. I can't create a performance; it either feels true or it doesn't, and this is such an emotional part, it has always felt true to me when I've done it."

■ *A Streetcar Named Desire* is in preview from tomorrow and opens on December 30 at the Theatre Royal, Haymarket (0171-930 8800)



Jessica Lange: "What I like, other people don't like, and what other people flock to, I find unbearable"

## Side by sides by Sondheim

THE origin of this 65-minute Sondheim musical is curious. Craig Lucas, an actor in the original chorus of *Sweeney Todd*, heard that a number of the composer's songs languished in a musical limbo, either because they had been dropped from shows on the bumpy route to Broadway or because they belonged to shows that had never finished the journey.

Lucas, with the late Norman René as director, assembled some of these escapees into an order suggesting a story line and cast it for a man and a woman, in two New York apartments, asking, in the words of the opening song: "What can you do with a Saturday night, if you're single?"

What you can do, of course, is dream; and in a musical sing your dreams: which is what Clive Carter and Rebecca Front proceed to do, with

only about as many unused words between the numbers as could be counted on a single hand.

Until just towards the end, and then provoked by a song that awkwardly alters the mood, the construction works remarkably well, helped by a staging device familiar from the Ayckbourn oeuvre which shows the two apartments as one. Carter and Front therefore open the same fridge, sit on the same creamy sofa, switch channels on the same television set — but in different parts of town.

One of Sondheim's notable gifts, possibly unique to him, is an ability to show the thoughts of his characters changing as they sing. They hesitate, they contradict what they have just sung. Don't, they imply, take me quite as seriously as you and I thought

Marry Me a Little  
Bridewell, EC4

I was being. If all this were not being sung you would say they were humming and hawing.

So there the two of them are, single on a Saturday night, wishing they were not. Along with her careful smile, Front's eyebrows tilt up at the middle, giving her a brave, tough-out expression. She sings the title song, dropped from *Company* but now (apparently because of this show) back in that score. She also sings one of the few rowdy numbers, *Can That Boy Fart?*, a rhetorical question depending

for its full effect on the American broadening of the fourth syllable.

Carter also shows physicality — the restlessness, the outbursts of tart wit — and both sing with clarity and charm. When Front reaches the closing phrase of *There Won't Be Trumpets* she finds a note as pure and faint as a silver trumpet on the very edge of hearing.

Clive Carter directs on the admirable flexible stage of this theatre and Rowland Lee accompanies on the piano.

JEREMY KINGSTON

## Beyond the cringe

IF YOU go to the Café Royal for *Joey and Gina's Wedding*, do not expect a Café Royal wedding. Although invitation prices start at £36.50, the food is derisory, the drink is extra and the celebrations take place not in the classy West End but at "Frankie's Castle" — resolutely in the East End.

All weddings have a performative power — enough to turn the simple words "I do" into the profoundest of actions — so why not marry this to a piece of theatre? The audience become guests, while the cast act as the ghastly families and hosts. The drama should be there on a (paper) plate.

Unfortunately, by caricaturing everything that can go wrong, writer Jay Leggett has robbed the rite of its potent mix of solemnity and social comedy. As we all know, with a congregation on emotional alert, the subtlest lapses always loom large: but to travesty the entire proceedings dissipates the intensity and looks like a failure to observe what really goes on.

Joey & Gina's Wedding  
Café Royal

the corners of our eyes, not from the front stalls.

The tuneless songs of various wellwishers are little better than karaoke humour, and the jealousies and fights become irritating interruptions. Even the best man's speech is squandered, when it should have been a chance to create a context, add some needed depth of character and tell some proper jokes. The best entertainment is the honest showmanship of Frankie, the impresario and Elvis imitator (James Doherty), and the juggling of Miles (Mat Ricardo).

Audience involvement is limited to the occasional hokey-cokey. The cast do buttonhole the guests — and the admirably underdressed Angelica Leigh (Hannah Waddingham) does rather more — but their gambits are mostly bectoring. With tableau reluctantly following tableau, there is little scope for imaginative vamping.

The show is designed as the perfect office-party cringe-binge, where nobody can avoid participating and even Miss Muffet from accounts would feel a spoilsport to demur.

Sorry.

JIM MCCUE

## Tuned into our sceptical times

Benedict Nightingale enjoys a fine Broadway revival of Kander and Ebb's courtroom musical, *Chicago*

through me, walk right by me, and never know I'm there". It is as if a post-socialist Brecht were to set *The Threepenny Opera* in what's nominally the 1930s but, by inference, the 1990s. And the message is unmistakable: the law-and-order system is another branch of showbiz.

I left the Richard Rodgers Theatre feeling it would make an ideal counter-Christmas show for Sam Mendes's *Donmar*, and lo and behold, I returned home to hear rumours that he may indeed stage it there before long. Certainly, a prime strength of

Walter Bobbie's fine production is a simplicity seldom seen on Broadway. Mostly, the stage is filled with a bank of musicians, principally brass players, leaving a thinnish shelf on which men and women in all-black stockings, jackets, shorts, bras, whatever, sway and swivel in dances choreographed by Reinking in the manner of the late, great Bob Fosse. Imagine an elegant entertainment from some slick but sleazy corner of Hades, and you have the evening's sinister glamour.

If that's Broadway at its best, *Present Laughter* at the

Walter Kerr shows it at its overblown worst. Up goes a posh 18th-century frontage to reveal a living room to make the builders of Blenheim feel penny-pinchers. It is the home of Noel Coward's Garry Essendine, matinee idol and egomaniac, whose world is in emotional turmoil as he prepares to leave for a tour in what the cast's sometimes suspect British accents insist on rechristening "Efrich".

Frank Langella, who plays him, is a fine, funny actor but, like others in the company, too often opts for the camp, broad gesture and too obviously nudges and tickles the audience and its arm-pits. And not content with coarsening Coward, the director, the young and fashionable Scott Elliott, brings his sexual subtexts spuriously to the surface. Garry's would-be mistresses strip to their underwear and beyond, while the Angry Young Man who haunts him gives him the full-frontal treatment. The Master would have winced and, had he been less well bred, thrown up.

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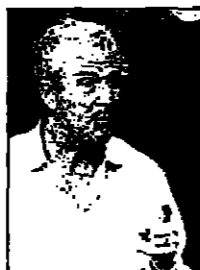
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## ■ VISUAL ART

A new study of Michelangelo is among the new art-history books in the shops this Christmas



## ■ MUSIC 1

Sir Colin Davis conducts the LSO and Chorus in a luminous performance of the Verdi Requiem

THE TIMES  
ARTS

## ■ MUSIC 2

... but Lynn Harrell fails to find the heart of Prokofiev's Cello Concerto



## ■ OPERA

On video, a chance to relive the prime of Miss Maria Callas and other great singers

## CLASSICAL CONCERTS

## A choral sound worth dying for

LSO/Davis  
Barbican

FROM the intensely hushed opening *Gradual*, this Verdi Requiem belonged to the London Symphony Orchestra Chorus. The singers' hoarsely whispered wailing in the *Dies irae* was chilling; there was gossamer delicacy before playful radiance in the *Sanctus*, and yearning in their final intimate exchange with the soprano Georgina Lukacs.

It was they, above all, who found the drama in what Bülow dismissed as "Verdi's latest opera". For it is, and should be, dramatic. It is also a work of Christian remembrance: the conundrum remains, and was nowhere more apparent than in the florid *Kyrie eleison* entries of the four soloists, following an opening of such subtlety.

There lingers a conflict in the British view of the work. We may now embrace its sensuous, public grandeur. But our choruses do not have the hard, vibrant sound of continentals. Add to this a conductor whose vision of the work is genuinely spiritual, and the concert hall begins to seem an inadequate venue — until, as here, the soloists pull

one back into the area of virtuosic professionalism. Sir Colin Davis's deeply-felt approach made for a luminous performance. There were moments of true solemnity, particularly in the *Lachry-mosa*. But at times the work was burdened with a sense of inertia. His speeds tended to be slow: on and off-stage trumpets in the Last Trump lacked impetus.

The tenor Stuart Neil was in fine voice, perhaps a little too fine for the "groan, as one guilty" required for the *Ingenio*. Cudjoe Oskarsen was more expressive, particularly in the inspired *Mors stupebit*. Enkeleida Shkosa delivered her *Liber scriptus* with a touching directness and Georgina Lukacs soared effortlessly, though they were ill-matched in the *Agnus Dei*. All four, however, lacked the expressive warmth achieved by the LSO and Chorus.

HELEN WALLACE

## Said with flowers

Hallé/Nagano  
Manchester

THE tendency to award a bouquet without discrimination to every soloist, woman or man, produces interesting reactions. The women carry it off gracefully. Most men, on the other hand, would apparently do anything rather than be seen holding flowers as they leave the stage.

After his performance of Prokofiev's *Sinfonia Concertante* in Bridgewater Hall, Lynn Harrell threw his bouquet high in the air behind him, where it landed among the back desks of the violas. It was an apt gesture. Remembering his wonderful account of the Dvořák Cello Concerto a couple of years ago, the Manchester audience had every reason to hope that he would give Prokofiev an interpretation that would present it in the best light. Unfortunately, he threw it away.

The first movement is particularly in need of a soloist with the authority and the variety in colour to characterise it rather than merely play through it. Harrell performed some prodigious technical feats. But, in spite of a more purposeful

projection in the second and third movements and a happy relationship with Kent Nagano and the Hallé Orchestra, he shed little light on the structural shapes and on expressive intentions.

The other main item in this concert, designed in part to celebrate the centenary of Salford University, was Tchaikovsky's Fourth Symphony. Well, there is a celebratory element in the Symphony in F minor but it is usually reserved for the last movement. If the opening fanfare sounds more like an introduction to some kind of pageant than a fate-laden heart-stopper, there is no story.

The Hallé compensated with some lovely playing in the Andantino and the conductor secured a headily propulsive performance of the last movement. But, after that start, it had little real meaning.

GERALD LARNER

## Treasure for under the tree

Richard Cork reviews some of the sumptuous visual art books in the shops this Christmas

THE more we discover about the astonishing accomplishments of the Renaissance era, the more difficult it becomes to encompass them in a single book. But *The Panorama of the Renaissance* (Thames & Hudson, £29.95) opens up the rich diversity of the period. This sumptuously illustrated survey moves deftly between diverse themes, dealing with Banking and Eroticism, Fashion and Religion, Philosophy and Women alongside more familiar subjects.

Individual Renaissance artists benefit from close exploration as well. Benozzo Gozzoli has long been celebrated for his magical frescoes in the Palazzo Medici in Florence. But the whole of his 60-year career is now examined with the care it deserves. Diane Cole Ahl's scholarly and superbly illustrated book (Yale, £45) is the definitive account, and includes a complete *catalogue raisonné*.

By now, Michelangelo might seem to have been exhaustively explored. But Paul Joannides has mined a new seam in Michelangelo and his *Influence* (Lund Humphries, £45). Taking as his focus the excellent collection of the master's drawings at Windsor Castle, Joannides widens it out to include all the drawings in the same collection by other artists indebted to Michelangelo's protean achievements.

Georges de La Tour's fame is a 20th-century phenomenon. Before 1934, when a pioneering exhibition was held in Paris, he was unknown to the public. Since then, he has become one of the most popular of all 17th-century painters. In Georges de La Tour and his World (Yale, £30) Philip Conisbee and other scholars survey everything from his candlelit religious scenes to the sometimes surprising violence of his secular pictures.

Of all the artists who flourished in 17th-century Holland, Jan Steen was the most boisterous. Riotous drinking occurs in many of his works, and his own grinning presence in some scenes proves how much he enjoyed himself. But he was also a consummate painter, and Jan Steen: Painter and Storyteller (Yale, £35) does full justice to his remarkable abilities.

Straddling the neo-classical and romantic eras, Pierre-Paul Prud'hon established his reputation with large mythological paintings. But he drew exquisitely in chalk as



Featuring members of the Medici family, Botticelli's *Adoration of the Magi* (c. 1475), is a highlight of *The Panorama of the Renaissance*

well, and these studies are the subject of a seductive book by John Elderfield (Abrams, £55). The sensuous female nudes are the most celebrated, but many of these outstanding drawings have never been published before.

Honoré Daumier's reputation has undergone an even more dramatic revision. Renowned in his own day as a savagely effective cartoonist, he is now more admired for his small body of finely handled paintings. Bruce Laughton's lively new book (Yale, £45) looks at the totality of Daumier's complex achievement.

Fronia E. Wissman's *Bouguereau* (Pomegranate, £22.95) shows just how removed Daumier's paintings were from official French taste of the period. Bouguereau was a darling of the Salon, and the Impressionists despised his enormous commercial success.

Van Gogh's failure to sell work

mortified him, but now the Amsterdam Museum dedicated to his work has produced the first of an eight-volume catalogue devoted to his drawings alone. *Sirraar van Heuten's* exemplary survey (Lund Humphries, £50) looks at the early 1880s, when Van Gogh's social conscience led him to make powerful studies of working men and women.

As for the other Impressionists, they appear alongside Van Gogh in Patty Lurie's delightful *Guide to Impressionist Paris* (Lilliburn Press, £14.95). Lurie has done her best to pin down exactly when Monet, Degas and their friends painted images of the city. Each work is reproduced alongside a photograph of the same scene today.

Innovative architecture from the Crystal Palace to John Paws's minimalist London house of the 1990s is surveyed in Richard

Weston's concise *Modernism* (Phaidon, £45). Le Corbusier dominates much of the discussion, but Weston ensures that architectural experiments by artists such as Malevich are discussed as well. Malevich himself is the subject of an intriguing re-examination by John Milner (Yale, £40). Long venerated as a pioneer of abstract painting, Malevich is here revealed as a man in thrall to mathematical theory.

The inescapable Picasso is represented by two books on unfamiliar aspects of his work. Susan Grace Galassi's penetrating study of Picasso's *Variations on the Masters* (Abrams, £30) shows just how much this arch-revolutionary was conscious of tradition. Picasso's rival, Delacroix and above all Velázquez is charted here in absorbing detail, while Jonathan Brown has edited an equally stimulating book placing

Picasso squarely within the Spanish tradition alone (Yale, £30).

Two major British artists are also explored in new ways. Ann Garrold has ably edited the first volume of *Henry Moore: Complete Drawings* (Lund Humphries, £75). Taking the period 1916-29, she shows how rapidly Moore's draughtsmanship flowered as he moved from obscurity to acclaim. As for Francis Bacon, his obsessive interest in portraiture is celebrated by Milan Kundera in a powerfully illustrated study (Thames & Hudson, £45).

Finally, the extraordinary strength and vitality of contemporary British art is reflected in two welcome books by Germano Celant. His introductory essays on Tony Cragg and Anish Kapoor (Thames & Hudson, £38 and £29.95 respectively) look at two outstanding sculptors, splendidly illustrated with key examples of the work that has brought them renown.

## Thrilling across the decades

■ THE ART OF SINGING: Golden Voices of the Century Warner 0630-15898-3 A TREASURE chest of film clips, most of them rare, featuring many of the finest opera singers of the century. When the talkies arrived, tenors such as Schipa and Martinelli were wheeled into the studios and dressed in costume while the cameras rolled for one-reelers. Then Hollywood took over. Rosa Ponselle is seen auditioning for a screen *Carmen* that never happened. Pity. But Lawrence Tibbett and Lauritz Melchior had spots in now forgotten films: the former sang the Toreador Song in *Metropolitan* and the latter *Winterstürme in Luxusliner*. After that came television, with programmes putting on the stars of the Met in celebrity spots. So we have Björing and Tebaldi in the close of *Bolshe Act I* and Leontyne Price, at her peak, singing *O patria mia*. Even the talking heads, led by Thomas Hampson and Magda Olivero, have words of wisdom. Essential viewing.

■ BERG Lulu Schäfer/Harries/Kuebler/Bailey/Schöne/LPO/Davis Warner 0630-15533-3 (subtitled) GRAHAM VICKS Glyndebourne production this summer was a little short of his excellent best. Part of the blame has to be placed at the foot of his designer, Paul Brown, who normally serves him well. The over-clean brick wall of the set did little to summon up the exceedingly dirty world of Wedekind's play and Berg's opera. Christine Schäfer in the title role did her very best to overcome this with her expression of knowing innocence, half schoolgirl and half slut.

OPERA ON VIDEO: From the giants of the past to the new productions they're all talking about



Rare treat: Maria Callas in *La traviata* (1958), just at the time that her voice was reaching the peak of its power

Her soprano had no difficulty with the exceptional demands of this role and alongside her were some telling performances, led by Norman Bailey's smelly Schigolch and Wolfgang Schöne as husband number two.

Humphrey Burton, an old hand at Glyndebourne, films with admirable clarity and the playing of the LPO under

Andrew Davis is beyond reproach.

■ MARIA CALLAS IN CONCERT: Hamburg 1959 and 1962 EMI 7243-4 91711 3 8 THERE is sadly little of Callas on film. A dimly shot extract of her *Lisbon Traviata* is one of the few disappointments in *The Art of Singing*. These two

recitals, filmed by German television, help a little, although on both occasions she restricted herself to a mere handful of arias, albeit demanding ones. In 1959 she was not too far short of her full powers, at least in Verdi: Elisabeth's *Tu che la vanità* from *Don Carlo* and Lady Macbeth's letter scene.

Three years later the voice was in steep decline and not much of the career was left. Callas was tinkering with the mezzo repertoire: Elisabeth had been switched to Eboli's *O don fatale*. The results were not always happy. But the presence remained, impassioned and totally dedicated.

■ VERDI Don Carlos Matilla/Meier/Alagna/Hampson/Van Dam/Orchestra de Paris/Pappano Warner 0630-16316-3 (subtitled) LUC BONDY'S production, in its original version at the Châtelet in Paris last spring, successfully transfers to the small screen. The filming is a bit dark in places, but close-ups ensure that the performances are given full effect.

Bondy turned his singers — and, with the exception of Waltraud Meier's Eboli, they could scarcely have been bettered — into class actors able to play in ensemble. Roberto Alagna's Carlos, an innocent lost in a complex world, and Thomas Hampson's zealot of a Rodrigo are marvellously balanced, their relationship during the death scene being more than mere friendship. Jose van Dam and Karita Mattila are Philip and Elisabeth, the royal ediles from all human warmth, and Antonio Pappano is the outstanding conductor.

JOHN HIGGINS

## GREAT BRITISH HOPES

Rising stars in the arts firmament

SAM ELLIOTT

Age: 18

Talent: Elliott is an outstanding tuba player. He reached the brass final of the BBC Young Musician of the Year Competition in 1994 and again this year, playing an avant-garde sonata by Leonard Salzedo. He is one of only three tuba students at the Royal Academy of Music.



Why the tuba? Fate took a hard at Elphinstone Junior School, Hastings. "At the age of ten, I wanted to change from tenor horn to euphonium, which I'd seen another boy playing. But I thought the euphonium was called a tuba and mistakenly asked for tuba lessons. It was pure fluke."

Teething troubles: "The first tuba I learnt on was so old the mouth pipe was held together with Sellotape. Initially, the sheer size of the instrument was also a problem."

Breakthrough: After winning a government scholarship to Wells Cathedral School, he came under the tuition of trombonist Alan Hutt. "He is a brilliant teacher, who did wonders for my playing. It just boomed." At 14, Elliott made his debut as a soloist, in Oxford, and from 16 was certain that he wanted a musical career.

Stereotyping: "I really dislike the mocking image of the tuba as an instrument that only produces a comical noise. I would compare it to the French horn: the sound won't hit you between the eyes, but it can have a lovely, lyrical quality."

Sound barrier: Apart from well-known concertos by Vaughan Williams and Edward Gregson (Elliott is playing the latter at the Marlboro Theatre, Cambridge, on January 18), the tuba repertoire is so small that his chances of making a living purely as a soloist are virtually non-existent. "I've been seeking out all the composers who teach at the Academy, and saying to them: 'Please write something for the tuba.'"

Satisfaction: "I get an absolutely wonderful feeling at the end of a concert when I know I've made an audience enjoy and appreciate the tuba. That's when the hard work really means something."

DANIEL ROSENTHAL

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CHANGING TIMES







## FOOTBALL

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as holiday period.

There are two extra coupons (December 26 and January 1) being printed over the Christmas holiday period. Because of the heavy Christmas post, punters are advised to submit all four coupons by the end of this week.

# Manchester plan built on City moving home

John Goodbody on the grounds that must be met by the multimillion pound development of English stadiums

Manchester City will have to move its home games from Maine Road to the proposed 60,000-seat stadium in Eastlands if the new venue, using £60 million of lottery money, is to be built in Manchester.

As a total of £200 million was yesterday pledged towards three facilities, the largest pay day from the Government for British sport, Wembley was confirmed as the English national stadium and will receive £120 million. A new swimming complex in Manchester will get £20 million.

The new Wembley, perhaps with a retractable roof, will cost at least £230 million and will be built after an architectural competition. It will be the

centre piece of the bid for the 2001 world athletics championships, 2006 football World Cup and possibly the Olympic Games in 2008.

Since Wembley Stadium over the past five years has staged annually on average 22 sports and seven entertainment events, it is already financially viable. Most England football internationals, the FA Cup and league cup finals and leading rugby league fixtures will continue to be held there.

However, Sir Rodney Walker, the English Sports Council chairman, said yesterday that the money for the Manchester stadium would be "conditional on a long-term programme of use of that stadium". As the Football Association will only

stage in Manchester each year a maximum of one international and an FA Cup semi-final, the arena for 60,000 spectators will not be needed in the North unless City uses the ground regularly. Manchester already has a 55,000-seat stadium at Old Trafford.

Graham Stringer, the leader of Manchester City Council, emphasised yesterday that, when the original presentation was made for Eastlands to be the site of the national stadium, Francis Lee, the chairman of Manchester City, was part of the bidding team.

Although Maine Road once held 84,569, the largest crowd to watch an English club game outside Wembley, it now has a capacity of 32,344. Despite £19 million having been spent on rebuilding there since the Taylor Report, it lacks any unifying charm.

Manchester City would clearly consider moving back from Moss Side towards its original home in the east of the city. Much will depend on whether the supporters would welcome the move and also on how much it will cost City to rent the stadium.

The Eastlands site has already been cleared and, because a main venue will be needed for the 2002 Commonwealth Games, a stadium must be built there for the athletics and opening and closing ceremonies. However, unless Manchester City does give a commitment for use after 2002, there would just be a small permanent stand and a large amount of temporary seating for the duration of the Games.

The Manchester swimming complex is more feasible. It will be situated 1½ miles closer to the city centre, right in the middle of much of the accommodation for nearly 70,000 students and staff of the three universities in the city. There will be plenty of public use after the Games. The complex will cost £29 million.

Wembley now has to look at the various options for the stadium. It must also decide whether to build the venue in stages over three years (when the capacity would be drastically curtailed) or to knock down the existing structure and erect a new arena in an estimated three years, during which time events such as England internationals and the FA Cup Final would be moved elsewhere.

The twin towers will be kept and there will be a new access route to the North Circular

Road. The shortfall of about £110 million in the total cost of £230 million will come from private companies and, probably, from football.

Graham Kelly, the FA chief executive, confirmed: "In principle, football will be an investor, if, of course, we get the right deal. The FA, FA Premier League and Football League may all consider investments."

A retractable roof could, however, cause problems. Alan Coppin, the chief executive of Wembley plc, said: "As the Amsterdam Arena has shown, there are enormous difficulties in having playable grass pitches with a retractable roof and, for concerns, there are also problems with the sound. We are not convinced about it."

## IN BRIEF Agassi will return to Davis Cup action

ANDRE AGASSI will open his tennis season in 1997 by making his first appearance in two years for the United States Davis Cup team when it travels to Brazil for a first-round match in February. Agassi, who this month announced he would not play in the Australian Open in January so that he could rest, made his last cup appearance in a 1995 semi-final against Sweden, when he injured his shoulder.

Monica Seles, who broke a finger at an exhibition tournament two weeks ago, has begun practising at her Florida home wearing a splint in an attempt to be fit to defend her Australian Open title.

## Defence first

Rugby league referees will be encouraged to give defences more time to complete tackles and attacking players must have both arms off the ground before playing the ball next season in an attempt to slow the game and give defenders more of a say.

Other changes that come into effect on January 25, when professional clubs enter the Silex Cup Challenge Cup, include the zero tackle, applying to all tackles after the hand-over regardless of whether the ball is passed first, and a rule forbidding tackles on a player catching a high ball until both his feet are on the ground.

## Rosset for Lola

Motor racing: Lola, the Cambridge-based Formula One team, yesterday signed Ricardo Rosset, the Brazilian driver, and Vincenzo Sospiri, of Italy, to spearhead their grand prix challenge next season. Rosset was dropped by TWR Arrows when they signed Damon Hill, the world champion.

## Dolphins splash

American football: Joe Nedney kicked three field goals and Dan Marino threw a touchdown pass to O.J. McDuffie as Miami Dolphins prevented Buffalo Bills from clinching a play-off place with a 16-14 victory. Buffalo's loss secured the AFC East title for New England Patriots.

## Record breaker

Rowing: Peter Goodchild, 26, of Vesta Rowing Club, easily beat the six-day sculling record for the 180-mile trip from Lechlade, Gloucestershire, to the Thames Barrier when he arrived at his destination yesterday, less than three days after setting off, during which he was actively rowing for 34 hours.

## RUGBY UNION: WELSH OFFICIALS IN DISPUTE OVER PAYMENT OF MATCH FEES

# Referees threaten to strike

By DAVID HANDS  
RUGBY CORRESPONDENT

WHILE the Rugby Football Union's dispute with the leading English clubs may be grinding towards a conclusion this week, the Welsh Rugby Union (WRU) has given a twist to the problems of professionalism through their rejection of claims by Welsh referees which now threaten the entire club league programme on Saturday.

The Welsh Society of Rugby Union Referees (WSRUR) has declared its intention of striking this weekend unless the WRU reconsiders its claim to match fees backdated to August 31. The society wants this

scale applied to officials handling games in the top five divisions of the league, but the WRU is willing to go back only so far as December 1, and only for referees handling the top two divisions.

"There doesn't seem enough time left to solve this problem," Hugh Banfield, the WSRUR secretary, said. Banfield has made himself available at any time for talks with the WRU, but has been told that no further meetings are planned. "At the moment I cannot see any other scenario but for us to withdraw our services," he said.

If no agreement can be reached by today, many of Wales's poorer clubs may start

cancelling arrangements to travel this weekend, to save money. The wealthier ones, such as Cardiff, have already made inquiries among officials to try to ensure that their game with Swansea will go ahead since they do not want any interruption of their programme before their Heineken Cup semi-final in Brive on January 5.

No referee will be pressured into obeying the strike call, if the society decides that that course of action is inevitable. "We are amateurs at the moment and we have told all our members that, if they wish to referee during the strike, they may do so," Les Peard, the WSRUR chairman, said.

He added, though, that the dispute had endured for 18 months and the society was not inclined to back down.

"They [the WRU] seem happy enough to pay £50,000 for another director of coaching while new development officers are being offered £27,000 a year," he said, "but they won't agree to pay us £65,340 for a full season of controlling matches from divisions one to five."

Derek Bevan, the leading Welsh official, who handled the 1991 World Cup final, is among those prepared to take action. "If the referees do come out, I hope it will be 100 per cent," he said.

The WRU is embattled over its £4 million sponsorship agreement with Reebok, the leisurewear company. Leading players, who have been told that they must wear the company's products when on national squad duty, claim that it has cut across existing individual agreements and Leigh Davies, the Cardiff centre, is threatened with a fine by the union for giving a television interview while inappropriately attired.

Swansea have been quick to act after seeing the performance at St Helen's on Saturday of Joos Joubert, the Natal centre, during the A international between Wales and South Africa. They spoke with Joubert before he returned home and will contact him in the new year to see if he is interested in joining Swansea.

Appeal lost, page 5

## Coventry dismiss City merger

COVENTRY, who are pushing for promotion from the second division of the Courage Clubs Championship, have turned down the proposal of a merger from Coventry City Football Club and will recommend to members tomorrow the acceptance of an investment from Leander, the property group (David Hands writes).

The rugby club's general committee was clearly disappointed with the quality of the offer from Coventry City, which involved the sale of the rugby ground at Compton Road and relocation to a site in Earlsdon, which the rugby club had previously explored and found inadequate. How-

ever, Bryan Richardson, the Coventry City chairman, expressed surprise that his club's offer had not received a fuller hearing.

Bedford have been linked with Rudolf Straeuli, the former South Africa flanker. Discussions have taken place, but it is feared that the price tag on Straeuli is too high. He was a member of South Africa's World Cup-winning squad and appeared as a replacement in the final but, at 33, he has only a limited future.

Richmond have had talks with Rolando Martin, the Argentine flanker, and Augustin Pichot, his colleague, the scrum half who

missed the recent tour because of injury.

Meanwhile, Bristol and Leicester meet this evening in the first division match postponed from November 9, with Leicester, in fourth, bidding to make up ground on Bath, who are third, having played one more match. Rob Field keeps his place at lock for Leicester while Matt Poole recovers full fitness, but Martin Corry, the Bristol captain, remains doubtful because of the ankle injury that kept him out of action for England A last week.

Craig Barrow stands by to replace Corry for Bristol, who need a win to carry them clear of the bottom three teams.

**SHEEHAN on BRIDGE**

By ROBERT SHEEHAN, BRIDGE CORRESPONDENT

When the dummy has a long side suit but is short in trumps, it is frequently the right defence to force dummy to ruff. This is a hand from the English trials. Senior and I were West and East.

Dealer West	East-West game	IMPs
<p>♠ K Q 7</p> <p>♥ A J 10 8 7 4</p> <p>♦ 10 8 5</p> <p>♣ A Q 10 7 6 5</p>	<p>♠ A</p> <p>♥ K 9 8 4 3</p> <p>♦ K Q 8</p> <p>♣ K Q J 2</p>	
<p>W</p> <p>2 H</p> <p>Pass</p> <p>Pass</p>	<p>N</p> <p>3 D</p> <p>Pass</p> <p>5 S</p>	<p>E</p> <p>4 H</p> <p>5 H</p> <p>All Pass</p>
Contract: Five Spades by South		Lead: Six of clubs

West's Two Hearts was a "weak two". The first trick went seven, jack and ace. Declarer played a diamond to the ace and ruffed a diamond before playing a spade to the king and ace. If East now plays a club and declarer plays low, declarer is home. After West ruffs, declarer will have two entries to dummy (a heart ruff and the queen of spades) to establish and cash the diamonds.

I eventually managed to work this out (Senior said that it took me too long), and so I returned a heart, attacking dummy's trumps. After this, declarer's best chance was to ruff out the diamonds and play a trump to dummy, hoping to find them 2-2. When the trumps were 3-1, his remaining chance was that clubs were 3-2 with East

holding the queen and jack. So he played a club off dummy, and eventually went two down.

At the other table, the contract was Five Spades redoubled. West led his singleton club, and Graham Kirby, our team-mate, played on trumps immediately. East won and returned the two of clubs. West ruffed and played a diamond, interpreting East's two of clubs as a request for the lower-ranking suit. Now, Kirby was able to establish the diamonds and make the contract. A heart return by West after his club ruff defeats the contract by removing an entry to dummy.

Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

**KEENE on CHESS**

By RAYMOND KEENE, CHESS CORRESPONDENT

## Kramnik's brilliance

After his loss to Ivanchuk in the fifth round, Vladimir Kramnik struck back to win the best game of the Las Palmas tournament so far, against Viswanathan Anand in the sixth. After a complex tactical sequence in the opening, Kramnik traded in his queen for rook and bishop and a powerful passed pawn in the centre. Having successfully evaded Black's attempts to force a draw by perpetual check, White was in a position to force the promotion of his passed pawn. The game proved a pleasant contrast to the aura of caution and high mutual respect that has characterised many other games in this elite competition.

White: Vladimir Kramnik  
Black: Viswanathan Anand  
Las Palmas, December 1996

English Opening

1 Nf3	Nf6
2 c4	b6
3 g3	Bb7
4 Bg2	0-0
5 0-0	Ba7
6 Nc3	0-0
7 Re1	0-0
8 cxd5	Nc6
9 e4	Nc3
10 bxc3	c5
11 d4	Nd7
12 Bf4	0-0
13 cxd4	Nf6

Cross-table after six rounds at Las Palmas

	1	2	3	4	5	6	7
Kasparov	1	2	3	4	5	6	7
Ivanchuk	2	1	4	5	6	7	8
Anand	3	4	1	2	3	4	5
Karpov	4	5	2	1	2	3	4
Kramnik	5	6	3	4	1	2	3
Topalov	6	7	4	5	3	1	2

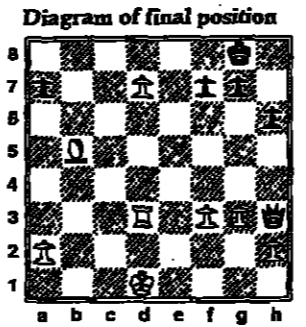
In the above table, 1 represents a win, ½ a draw and 0 a loss

## WINNING MOVE

By Raymond Keene

White to play. This position is from the game Perez vs Lee, correspondence, 1995. White has sacrificed a bishop to weaken the black king. Can you see how he now made the most of his opponent's lack of king protection and his own active pieces?

Solution on page 42



Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

## EQUESTRIANISM Whitaker leads the revamped parade

By JENNY MACARTHUR

JOHN WHITAKER, the highest ranked British rider, and his three Olympic team-mates, Nick Skelton, Geoff Billington and Michael Whitaker, head the home entry for the 25th Olympia International Show Jumping Championships, which begin today in The Grand Hall, Olympia.

The show, the brainchild of the late Raymond Brooks-Ward, is set for a bumper week. Sponsorship has doubled; the prize-money has been increased to £220,000; the BBC, which ended its nightly broadcast two years ago, is returning to cover the Volvo World Cup qualifier on Saturday and six out of the ten performances are already sold out. In the inaugural year Brooks-Ward went out into Kensington High Street to give away tickets.

The show's success is based on a mix of serious showjumping and fun events. While Lorenzo, the flying Frenchman, and the Shetland Pony grand national help to take care of the latter, the international showjumpers taking part include Germany's two Olympic team gold medal-winners, Ludger Beerbaum, winner of the Olympia World Cup qualifier last year, and Franke Sloothaak, the world champion.

The Ireland entry includes Peter Charles, the European champion. Brazil are sending Rodrigo Pessoa, the Olympic team bronze medal-winning rider whose father, Nelson, won the first Olympia Piusance in 1972. Jordan have their first representative at the

day regardless of the outcome, but the result was much more than even the most faithful of his followers — who turned out in force with klaxons and banners — expected of him. "After the American races, when there were not so many people, it was a real boost to see so many here, even on a Tuesday," Tomba, who watched the first two slaloms, held in Park City and Breckenridge, on television, said. Racing for the first time since March, Tomba was eighth after the first leg — but then turned up the power with the fastest second leg time of 51.35sec. He caught a gate in the face on the first leg and was slightly troubled by bruising under his right eye.

## EXCLUSIVE OFFER THE TIMES

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CHANGING TIMES



# Technical knockout lacked the ring of truth

At least giving Nick Berry a George Clooney haircut was a good idea. Just a pity they didn't give him an ER script to go with his fashionable flat-top. Instead, Berry had to go 12 rounds with the charming Respect (TV) from Richard La Plante, who seems to have been watching too many Rocky videos.

The result? Well, straight round to the Broadcasting Standards people for starters. A scene that involved a head-butt, a cough and a full-blooded kick to the groin had no place in a drama that started before the 9 o'clock watershed. Quite potently, the producers have played straight into Nanny Bottomley's hands.

The scene also had no place in a script that sought to be taken seriously. We're really supposed to believe that having just been beaten up, a known drug dealer would be straight round to the police shouting "it was him, it was that

nasty Bobby Carr". Apparently we were. Carr (Berry) was duly taken away, sentenced to 100 hours community service in an East End boxing gym and do you know? He never heard from that nasty, armed and dangerous drug dealer again. Just like real life, then.

Watching Respect was like signing up for serial disappointment. It had a strong cast, it looked great and Berry's new haircut had opened up a whole range of dramatic possibilities; and yet time and again it all came to a halt as the script had a bit of a rethink or lapsed into superfluous sentiment.

Every now and then a new character would appear — to no apparent purpose. Suddenly, Carr had a girlfriend. Suddenly, we were having to listen to dialogue such as: "You look like you've seen a ghost". "I've only heard Trevor Nye planning a raid."

Then there was the problem of

keeping up with the characters themselves. One minute Danny Phillips (Lee Macdonald) was a future champion, the next he was taking drugs and robbing building societies, the next he was back in the ring again. It was the same with Carr's predictably estranged wife, Rosie (Jaye Ashbourne), who attacked her predictably misunderstood husband first for taking another fight and then for planning to take a dive in it without pausing for breath.

There were pluses. The boxing scenes were as good as I've seen on television; Berry and Ashbourne turned in decent performances as the eventually reunited Carrs and Carol Harrison was excellent as Rosie's non-sensuous ruin, Veronica. Yup, that's all of them.

A similar plague of non sequiturs affected The Seventh Wonder of the World (BBC2) but to far less

damaging effect. One minute it was a particular inscription that would confirm that the huge pieces of stone littering the bottom of Alexandria harbour were the remains of the lighthouse of Pharos, the next it was two giant statues of Mr and Mrs Ptolemy II. It didn't matter, because this was a quite fascinating story.

Much of the fascination stemmed from simple jaw-drop

ping disbelief that so much ancient history could have been lying, undisturbed, in 25 feet of water for so long. As the underwater camera moved among the divers, it picked out a sphinx here, a colossus there and bits of obelisk all over the place. Spellbinding.

Believing that what we were being shown was the remains of the lighthouse rather than some flooded architectural salvage yard was still a big step, especially after it became clear that some of the stonework was a thousand years too old. Only here, I suspect, could the deciphering of 3,000-year-old hieroglyphics spell disappointment. RA-M... Ramesses II, merde.

But the French archaeologists were sure (lighthouses, after all, spell headlines and headlines spell more research funds) and called upon their British colleague, Honor Frost, to confirm their findings. For having gently led us to believe

that this was the first time the five-acre site had been surveyed, the film's makers (French, of course) reluctantly admitted that it had been done before — 30 years ago, by Frost and an Egyptian diver. They had even raised a statue of Mrs Ptolemy as it turned out. Now came the opportunity to see the husband's statue, in situ on the seabed.

Frost may be 75 but she was in her wet-suit and underwater before you could say sphinx. In a film short of hard archaeological evidence, this was one of many magical moments that made up for it.

There will be those who saw Network First: Conspicuous Consumption (ITV) as a hater job, an own goal scored by the glib management of Harvey Nichols, the department store. But not I. Shopping is a fundamentally silly occupation and shopping in

the sort of fashionable emporium that is Harvey Nicks, "where luxuries become essentials", doubly, nay trebly, so. But silly as it is, it is also — the weeks before Christmas notwithstanding — a hugely enjoyable occupation and on no account to be taken seriously.

Put something on and friends really do say: "it's horrible... no, horrible... it's too strong a word". Browse through a rail and you do find yourself saying "that's the exact T-shirt I need for the summer, except I want it in white". True, I have never found myself saying: "You've got to stick with the mood, it's got to be mood... you've got the wrong mood," but that's because I don't wear tight and I'm not American.

I liked Nick Lord's film but I'd have liked it even more if he'd had a bit more material to fill his allotted hour. One thing they do teach you at Harvey Nicks — never skimp.

## REVIEW



Matthew Bond

Matthew Bond is a writer and producer. He has written and produced several television series, including 'The Bill' and 'The Crown'. He is currently working on a new series called 'The Last Days of Pompeii'.

- BBC1**
- 6.00am BUSINESS BREAKFAST (30298)
  - 7.00 BBC Breakfast News (1) (34995)
  - 9.00 Breakfast News Extra (1) (1760418)
  - 9.20 STYLE CHALLENGE (463437)
  - 9.45 KILROY (647586)
  - 10.30 CAN'T COOK, WON'T COOK with Ainsley Harriott (30012)
  - 11.00 NEWS and weather (3162470)
  - 11.05 THE REALLY USEFUL SHOW Consumer advice (5163383)
  - 11.45 SMILLIE'S PEOPLE (5337514)
  - 12.00 NEWS (1) and weather (4870447)
  - 12.05pm POLICE RESCUE (1) (8083234)
  - 12.55 THE WEATHER SHOW (35827505)
  - 1.00 NEWS (1) and weather (64854)
  - 1.30 REGIONAL NEWS (1) (3687033)
  - 1.40 NEIGHBOURS (1) (2513470) 2.00 Call My Bluff (8657) 2.30 A Week in the Country (876) 3.00 Incongruity (1882)
  - 3.30 ANTS IN YOUR PANTS (5784418) 3.50 ChuckleVision (5784654) 4.10 Get Your Own Back (1) (1601822) 4.35 The Queen's Nose (1) (7497505) 5.00 Newswatch (1) (5055168) 5.10 Blue Peter, including interview with Danny DeVito (1) (8357673)
  - 5.35 NEIGHBOURS (1) (207050)
  - 6.00 NEWS (1) and weather (505)
  - 6.30 REGIONAL NEWS (857)
  - 7.00 SMALL TALK Last in series (1) (3673)
  - 7.30 HERE AND NOW Sue Lawley and the team present more investigations and profiles, including making the news. Last in series (1) (741)
  - 8.00 HOW DO THEY DO THAT? In the last of the series, Eamonn Holmes and Esther McVey reveal some of the surprising objects that have been used to create sound effects for BBC programmes (1) (540895)
  - 8.50 POINTS OF VIEW (1) (50418)
  - 9.00 NEWS (1), regional news and weather (216)
  - 9.30 THE X FILES: Jose Chung's from Outer Space Scully recounts the story about a teenage girl who claims to have had an encounter with aliens to a famous author who is researching a book about the alleged incident in Klamath County, Washington (1) (202771) WALES Political Broadcast: Pled Cymru 9.35 The X Files 10.20 Ken's Wales 10.50 Harry Enfield and Chums 11.20 Birth of Horror 12.10am Frankenstein — The True Story 1.45 Film: Countess Dracula 3.20 News
  - 10.15 HARRY ENFIELD AND CHUMS Last in series (1) (242825)
  - 10.45 NIGHTMARE: THE BIRTH OF HORROR — Dracula Christopher Frayling explores the background to Bram Stoker's creation (1) (848418)
  - 11.35 FRANKENSTEIN — THE TRUE STORY Frayling looks at the two-part adaptation of Mary Shelley's classic tale starring James Mason (1) (84470)
  - 11.40am Film: Countess Dracula (1970) starring Ingrid Pitt, Nigel Green and Peter Jeffrey. Hammer horror about an ageing Hungarian countess who bathes in virgins' blood to preserve her beauty. Directed by Peter Kosminsky (3707871)
  - 2.40 WEATHER (886971)
- VideoPlus+ and the Video PlusCode**
- The numbers next to each TV programme listing are Video PlusCode numbers, which allow you to programme your video recorder to record a programme. To find the Video PlusCode for the programme you wish to record, VideoPlus+ (V), PlusCode (P) and Video Recorder (VR) are the trademarks of Gemstar Development Ltd.

- BBC2**
- 6.00am OPEN UNIVERSITY: Flight Simulators and Robots (753302) 6.25 Designer Rides (7554437) 6.50 Deadly Cuneels (8868499) 7.15 See Hear Breakfast News (2887588) 7.30 The Legend of Prince Valiant (578470) 8.15 It's Never Work (5718586) 8.15 Fiddler Foodie Bird (5454673) 8.25 Christopher Crocodile (5445825) 8.35 The Record (8845892) 9.00 The Complete Guide to the 20th Century (1540892) 9.10 The Village of Joss (525386) 10.10 Playdays (2213437) 10.25 The Champions (8040012) 11.15 The Phil Squires Show (1272860) 11.40 Flash Gordon's Trip to Mars (2082447) 12.00 Operation Survival (22234) 12.30pm Working Lunch (80505) 1.00 Christopher Crocodile (8244844) 1.05 Fiddler Foodie Bird (8251925) 1.15 Film: The Wicked Lady (1945; b/w) Swashbuckling tale with Margaret Lockwood and James Mason (72313825) 3.00 News (7909470) 3.05 Westminster (2250708) 3.45 News (6719878) 4.00 Today's the Day (470) 4.30 Ready, Steady, Cook (854) 5.00 The Crystal Whirly Show (4466373) 5.40 Mary Berry (88501) 5.55 Turning Points (59168) WALES: Pled Cymru Broadcast
  - 6.00 STAR TREK: THE NEXT GENERATION (1) (64499)
  - 6.45 BOLLYWOOD OR BUST! The final of the quiz on Bombay's film industry (784718)
  - 7.30 FROM THE EDGE (1) (383)
  - 8.00 TRUST ME, I'M A DOCTOR Should we add folvic acid or vitamin B to flour to prevent heart disease and strokes? Last in series (1) (8073)
  - 8.30 OPEN RHODES Gary gives a masterclass to four young RAF cooks (1) (4770)
- Protest march on Merseyside (8pm)**
- MODERN TIMES: The Flickering Flame** Ken Loach champions the cause of the dismissed Liverpool dockers (1) (71857)
- ENTREPRENEUR CULTURE** REMIXED: Making a Million in the last of three programmes about entrepreneurs we catch up with David McCann and David Atkinson to see how their businesses are faring in the 1990s (1) (594383)
- 10.30 NEWSNIGHT (1) (38079)**
- 11.15 LOOKING FOR TAT (26168)**
- 11.25 HIS FATHER'S SONG (29236)**
- 11.50 THE HISTORY MAN (828075)**
- 12.00 THE MIDNIGHT HOUR (57838)**
- 12.30am THE LEARNING ZONE: Open University: Powers of the President (85428) 1.30 Global Firms in the Industrialising East (18055) 2.00 Selling: The Long Search for Faith (98248) 4.00 BBC Focus: English Heritage (82161) 4.30 Modern Apprenticeship (82155) 5.00 Health and Safety at Work (30258) 5.30 The Adviser (58567)**

- CHOICE**
- Modern Times: The Flickering Flame** BBC2, 9.00pm
- In September 1995 more than 300 Liverpool dockers were sacked for refusing to cross a picket line. More than a year later they are still idle while their work is done by non-union labour. In fact they have a weak case. Their union, the Transport and General Workers, has been reluctant to get involved in an unofficial dispute. But the men have found a champion in Ken Loach, a filmmaker from unrequited Old Labour. His documentary charting the progress of the dispute crackles with Liverpoolian working-class anger. In Loach's account the struggle is about employers wanting to go back to the bad old days of casual labour when men were hired by the day and had no security. It may be a partial view but since the film's two villains, the TGWU and the employers, both declined to be interviewed it has to go unchallenged.
- Enterprise Culture Revisited: Making a Million** BBC2, 9.50pm
- In the booming 1980s two disciples of Thatcherism set out to make their fortune and both worked punishingly long hours to earn it. Dave McCann, a no-nonsense Londoner, sold his garage and office equipment and ran a shoeshine business. In Cumbria haulier David Atkinson made his money selling Lake District rocks as ornamental garden stone. Television featured them both at the height of their success in 1989. Now the cameras return to see how the pair have fared in the chill 1990s. Both were hit badly when the boom ended. Atkinson wisely diversified into general haulage. Ever inventive, McCann runs a hotel in Margate for the overweight called, wait for it, Faty Towers. Both are still driven by the spirit of the 1980s, but now admit that there is more to life than money.
- Nightmare: The Birth of Horror** BBC1, 10.45pm
- The most famous vampire novel came from an unlikely source. Abraham (Bram) Stoker was a pillar of late Victorian respectability who would probably have been appalled to hear Dracula discussed as a parable of repressed sexual desire. Christopher Frayling enjoys the irony that the book appeared in the same year, 1897, as Sigmund Freud started to research in earnest. Frayling's account of the genesis of Dracula reaches back into the 19th century before following the six-year gestation of the book with the help of Stoker's papers and the Germans were the first to film the Dracula story, in the 1920s, but without asking permission. Stoker's widow sued and tried to have the prints destroyed. It was only a hiccup in the flow of Dracula films, of which these have now been more than 200.
- Pond Life** Channel 4, 11.25pm
- The scheduling of Candy Guard's witty animation continues to defy reason. So far it has gone out too early for an adult, though by no means offensive, show. Now, for the two final episodes, it goes out aboard late. Admittedly, one of the two sees poor Dolly, the permanent non-achiever, going to the Glastonbury Festival, getting high on drugs, taking off her clothes and using less than crumpet language. But this is only a cartoon. And tonight's other adventure, in which Dolly takes her first steps, is a little more than a predicament. It is, in fact, a take on an explosive or two, not far removed from family viewing. Let us hope there is another series — Pond Life is sharp enough to deserve one — and that this time it gets a sensible slot.

- 6.00am GMTV (7792505)**
- 9.25 CAPTAIN SMITH AND THE SPACE MONKEYS (4637876)**
- 9.50 STEP BY STEP (2688673)**
- 10.20 NEWS (368358)**
- 10.25 REGIONAL NEWS (3682857)**
- 10.30 FILM: A Stranger in the Mirror (1992)** starring Christopher Plummer in a tale of love, rivalry and betrayal (23252586)
- 12.10pm CARTOON NEWS (257911)**
- 12.20 NEWS (1) and weather (9518050)**
- 12.55 SHORTLAND STREET (593741) 1.25 Coronation Street (1) (7102334) 2.00 Home and Away (1) (60513924)**
- 2.25 FILM: A Mom For Christmas (1990)** starring Olivia Newton-John. Fantasy about a department-store mannequin that comes to life and fulfils a young girl's wish. Concludes tomorrow (8254498)
- 3.20 NEWS (1) (7916780)**
- 3.25 REGIONAL NEWS (7915031)**
- 3.30 TOTS TV (5703853) 3.40 The Singing Kettles News (1009654) 3.50 Antennas (1) (1) (8808429) 4.05 The Tainted Stars of Folk the Cat (2819302) 4.15 Fantomcat (1) (1950331) 4.40 At Attack Christmas Cracker (1) (1678505)**
- 5.10 WHEEL OF FORTUNE (712673)**
- 5.40 NEWS (1) and weather (723673)**
- 6.00 HOME AND AWAY (1) (838256)**
- 6.25 HIT NEWS (1) (461708)**
- 7.00 SPORTSWEEK (8741)**

- As HTV West except:**
- 12.55pm HOME AND AWAY (593741)
  - 1.25 SIMPLY DELICIOUS AT CHRISTMAS (3014302)
  - 1.55 A COUNTRY PRACTICE (29527673)
  - 2.50 VANESSA (66913960)
  - 2.50-3.20 OUR HOUSE (359050)
  - 5.10-5.40 SHORTLAND STREET (7172673)
  - 6.25 CENTRAL NEWS (461708)
  - 7.00-7.30 WHEEL OF FORTUNE (8741)
  - 11.20 CENTRAL SPORTS SPECIAL (165215)
  - 12.20pm BUSHELL ON THE BOX (4476987)
  - 12.55 FILM: THE BLUE IGUANA (333780)
  - 2.35 IN FOCUS (1599181)
  - 3.00 CUSTOMS CLASSIFIED (5132558)
  - 4.05 LAKE & LOUD (7121277)
- WESTCOUNTRY**
- As HTV West except:**
- 12.55 CORONATION STREET (593741)
  - 1.25 MASTERCRAFT (30144302)
  - 1.55 HOME AND AWAY (21150654)
  - 2.25-3.20 MURDER, SHE WROTE (8254498)
  - 5.10-5.40 HOME AND AWAY (7172673)
  - 6.00 WESTCOUNTRY LIVE (80500)
  - 7.00-7.30 WHEEL OF FORTUNE (8741)
  - 11.20 A SEASON IN THE SUN (165215)
- MERIDIAN**
- As HTV West except:**
- 12.55 DINOSAURS (593741)
  - 1.25 HOME AND AWAY (30144302)
  - 1.55 A COUNTRY PRACTICE (29527673)
  - 2.50 HOPE AND GLORIA (66913960)
  - 2.50-3.20 PERFECTLY PETS (359050)
  - 5.10 HOME AND AWAY (7172673)
  - 6.30 MERIDIAN TONIGHT (873)
  - 6.30 PUT IT TO THE TEST (925)
  - 7.00-7.30 WHEEL OF FORTUNE (8741)
  - 11.20 THE MERIDIAN MATCH (165215)
- ANGLIA**
- As HTV West except:**
- 12.55pm CROSS WITS (593741) 1.25 HOME AND AWAY (30144302) 1.55 JUSTICE OF THE LAND (21150654) 2.25-3.20 DR QUINN, MEDICINE WOMAN (8254498) 5.10-5.40 SHORTLAND STREET (7172673) 6.30 ANGLIA NEWS (925) 7.00-7.30 WHEEL OF FORTUNE (8741) 11.20 MIDWINTER KICK-OFF (165215)
- S4C**
- Starts: 6.30am TAKE FIVE (59234) 7.00 THE BIG BREAKFAST (87505) 9.00 FILM: THE GIRL FROM MARS (5198012) 10.40 WHITE FANG (8841128) 11.10 THE PINK PANTHER (8022447) 11.35 DOG CITY (4225501) 11.55 TERRYTOONS (1164147) 12.00 HOUSE TO HOUSE (47202) 12.30pm A BOX FULL OF STORIES (75673) 1.00 SLOT MEIRHIN (80992) 1.30 Film: TAKE ME OUT TO THE BALL GAME (5388293) 3.15 THE MONTELL WILLIAMS SHOW (8322215) 4.00 THE BATTLE FOR RICHIEY BRIDGE (180) 4.30 INAPPROPRIATELY SEEKING SOMETHING (550) 5.00 PUMP (6147) 5.30 COUNTDOWN (302) 6.00 NEWYIDDION (453925) 6.05 HENO (840302) 6.35 SION A SIAN (758895) 7.00 PODOB Y CWM (590673) 7.25 CAROLAU O LLANGOLLEN (7360331) 8.30 DARDLEAD GWI (10712) 8.35 NEWYIDDION (704876) 9.05 WANTED (7505) 10.05 BROOKSIDE (764215) 10.40 BLACK BOX (592334) 11.40 CAROLINE IN THE CITY (504692) 12.10am HOMICIDE: LIFE ON THE STREET (4418428) 1.10 BAD IDEAS OF THE 20TH CENTURY (751580)**

- As HTV West except:**
- 12.55pm CROSS WITS (593741) 1.25 HOME AND AWAY (30144302) 1.55 JUSTICE OF THE LAND (21150654) 2.25-3.20 DR QUINN, MEDICINE WOMAN (8254498) 5.10-5.40 SHORTLAND STREET (7172673) 6.30 ANGLIA NEWS (925) 7.00-7.30 WHEEL OF FORTUNE (8741) 11.20 MIDWINTER KICK-OFF (165215)
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- 6.30am TAKE FIVE (59234)**
- 7.00 THE BIG BREAKFAST (87505)**
- 9.00 FILM: The Girl from Mars (1991) Family sci-fi comedy drama starring Sarah Swallow and Edward Atterton. Directed by Neil Fearnley (5198012)**
- 10.40 WHITE FANG (8841128) 11.10 The Pink Panther (8022447) 11.35 Dog City (4225501) 11.55 Terrytoons (1164147) 12.00 House to House (47202) 12.30pm A Box Full of Stories (75673) 1.00 Sesame Street (70128) 2.00 John Law and the Mississippi Bubble (7010471)**
- 2.10 FILM: Two Girls and a Sailor (1944, b/w) Musical starring Julie Allison, Gloria Delawen and Van Johnson. Directed by Richard Thorpe (8231578)**
- 4.30 COUNTDOWN (550)**
- 5.00 RICKI LAKE (1) (2246321)**
- 5.45 POND LIFE** Animated sitcom (1) (734960)
- 6.00 PARTY OF FIVE (1) (374673)**
- 6.55 FRESH POP (781857)**
- 7.00 CHANNEL A NEWS (589963)**
- 7.55 THE SLOT (634383)**
- 8.00 BROOKSIDE** Last is devastated by what Georgia has to say and Jackie plucks up the courage to face the neighbours at the school dance (1) (5031)
- 8.30 WANTED** Three pairs of runners are pursued by trackers who are advised from the studio by a former Soviet spy, an SAS-trained soldier and a former head of the Flying Squad. Last in series (23321)
- 9.30 FILM: Untamed Heart (1993) Comedy romance starring Marisa Tomei and Christian Slater. A young man who was born with a heart condition and is a virtual mute takes a job in a diner and becomes devoted to a waitress. Directed by Tony Bill (1) (964963)**
- 11.25 POND LIFE** Two episodes of the animated sitcom about a Dolly Pond, a woman trying to escape her dreary life (1) (935586)



A profile of Quiney Jones (11.55pm)

- For more comprehensive listings of satellite and cable channels, see the Directory, published on Saturday SKY 1**
- 7.00am Live Connection (427215) 7.20 Press Your Luck (428079) 7.40 Jeopardy! (341548) 8.10 Wheel (300258) 8.30 Jeopardy! 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## NATIONAL STADIUM 41

Wembley wins on  
British sport's  
£200m payout

## SPORT

WEDNESDAY DECEMBER 18 1996

## ICE HOCKEY 42

Why does Britain's  
Olympic bid have  
a Canadian flavour?



Zimbabwe buoyed by England's unimpressive form on eve of inaugural match

# Atherton facing test of leadership

FROM SIMON WILDE  
IN BULAWAYO

MICHAEL ATHERTON sat in the evening sun yesterday, under the shamiana that will act as the players' pavilion at Queens Club during the inaugural Test match between England and Zimbabwe that starts here today. Perched on top of the terracing cut out of the turf at this picturesque, tree-lined ground, he looked like a potentate, which was an irony in view of the fact that he is facing one of the sternest tests of his three-year tenure as the England cricket captain.

By leading his country for the 36th successive time today, Atherton will break the England Test record he shares with Peter May, but defeat by the newest and weakest Test nation in the world might jeopardise his chances of remaining in power long enough to fulfil his ambition of having another crack at the Australians next summer.

## TEAMS

ZIMBABWE: A D R Campbell (captain), G W Flower, S V Currie, A C Walker, D L Houghton, A Flower, G J Whittall, P A Strong, H H Brook, E A Brandis, H K Olonga.

ENGLAND: M A Atherton (captain), N V Knight, A J Stewart, N Hussain, G P Thompson, J F Crawley, R D B Croft, D Gough, A D Mullaly, A R Caddick or C E W Silverwood, P C R Tufnell.

Umpires: R S Dunne (New Zealand) and I D Robinson (Zimbabwe).

Match referee: Harman Singh (India).



David Lloyd, the England coach, watches as Ian Botham, who is assisting the bowlers, makes a point to the players during net practice at Queens Club yesterday

He refused to accept that this match has more significance than any other Test, but acknowledged equally that it had special importance to the Zimbabwe players, who say they are keener to beat England than any other side. "That is the case the world over," Atherton said. "It is imperialism kicking us in the teeth."

Defeat by a country with such a small nucleus of players and with only one win in 20 Test matches ought to be out of the question, but it no longer is. Losses in the past three weeks to a President's XI, Mashonaland and, in the first one-day international against Zimbabwe, have changed that and altered the morale of both camps.

Of the team that Zimbabwe

named yesterday, only Henry Olonga, the fastest bowler on either side, has not played a part in one of the touring side's defeats. Both camps also appear to accept that, given five fine days, there will be a result here.

Britain's imperialist past may have something to do with the fact that the Zimbabweans are so "up for it", but equally potent is the perception that this England team has displayed an arro-

gant disregard for the task it faced here.

The decision not to bring in a replacement for Dominic Cork, England's leading strike bowler, when he withdrew shortly before the tour began, hinted at complacency, and David Houghton, the Zimbabwe player-coach, has complained that England have not given enough credit to his bowlers when they have talked about their failure to make big scores. That said,

relations between the sides are cordial.

England's problems are not small and they might do themselves a favour by acknowledging that their opponents are a good side who are, in the words of Houghton, "playing the best cricket we have played for many years". One problem not taxing the England management greatly is the selection for the game. Having failed to replace Cork, having taken the decision at

an early stage of the tour that Russell, the wicketkeeper, would not feature in the Test side, and then having seen Iran break down, they are choosing from only 12 men, though the party will be supplemented by Craig White next week.

It was England's thinking yesterday that the last place in the side, that of third seamer, was a choice between Caddick and Silverwood, who has yet to play in a Test and has

appeared in only three limited-overs matches on this tour. If he does play, he will be the youngest England Test cricketer, at 21 years and nine months, since Mark Lathwell in 1993. By contrast, Zimbabwe's one newcomer is Andy Walker, 37, who has played 30 one-day internationals.

England are therefore set to play two spinners, Tufnell and Croft, an option not being pursued by Zimbabwe, who took the early decision yesterday to omit Andrew Whittall, the off spinner, from their original party of 12.

The square at Queens Club is reckoned to be the fastest and bounciest in the country, and though that may not be saying much, it should help the faster bowlers early in the day. Alistair Campbell, the Zimbabwe captain, expected to put England in if he won the toss.

Were he to do so, it would be imperative that England survived the first hour in some sort of shape, rather than lose three wickets as they did twice during the defeat by Mashonaland. Atherton believes that, if they can do so and go on to build a total in excess of 400, they can then dictate the game. For that to happen, though, the top six must perform well, which probably means Atherton and

Thorpe rediscovering their form.

White was officially summoned yesterday to join the party after the hospital tests on Iran's back on Monday revealed a "hot spot" of inflammation. Iran received an injection that will prevent him from bowling for three days, but the management now wants to monitor his progress for at least a week before making a decision on whether he should return home.

White is holidaying in Australia after the end of the England A-team tour there and will join the senior team in Harare next Monday, three days before the start of the second Test.

## Mansell's rejection of Jordan flags end of the road

BY OLIVER HOYT

HE STOPPED short of saying that he had retired but Nigel Mansell effectively brought down the curtain on his illustrious Formula One career yesterday. After one last taste of life close to the edge at a test in Barcelona last week, he telephoned Eddie Jordan yesterday morning to turn down the opportunity to compete in a Jordan-Peugeot next season.

Mansell had come away from the Spanish test brimming with enthusiasm and delighted to be back in the limelight after 18 months away from the sport, apparently itching to make a comeback. Ironically, it seems it may have been the influence of Bernie Ecclestone, the man who was put forward as one of the prime movers behind any return, that dissuaded him.

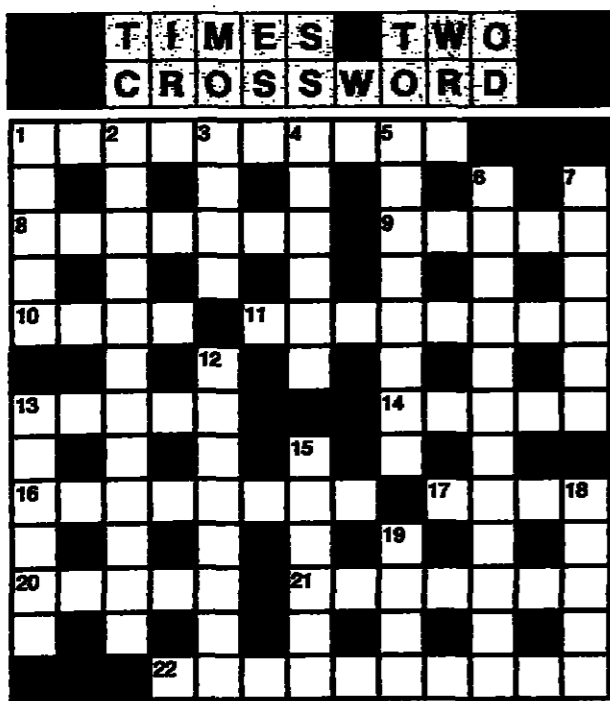
Mansell is believed to have met Ecclestone in London on Monday to discuss his options. After the meeting his enthusiasm had waned considerably and he made Jordan aware of his decision early yesterday. The Irish team may now turn its attention to Martin Brundle, the Italian, Giancarlo Fisichella, or the Frenchman, Jean-Christophe Boullion.

"Nigel Mansell in a Williams could have made a nuisance of himself," Ecclestone said, by way of an epitaph for the career of the 1992 world champion. "But in any other car, he would be really struggling." Mansell, 43, admitted in a statement that he could no longer devote the time necessary for a hectic season to Formula One given his other commitments.

"The idea of the Barcelona test was originally to have some fun," he said, "but my natural competitive instinct took over very quickly and a return to Formula One with Jordan became a serious possibility. However, after consultations with my family and business advisers, I quickly came to realise that my schedule would not permit me to give sufficient time to the Jordan team."

Eddie Jordan, though, still believes Mansell could win races. "He can still be a winner," Jordan said, "but I appreciate the honesty of his decision. The door will always be open for him at Jordan."

Races in doubt, page 41



No 968

ACROSS  
1 Critical demolition (7,3)  
8 Nightclub entertainment (7)  
9 Characteristic style (5,7)  
10 A canal: King of Gods (rev. 4)  
11 Overfussy with details (8)  
12 Passing fashion: break into cracks (5)  
14 Salad, garnish plant (5)  
16 Welsh towns: rebellious Duke, 1685 (8)  
17 Clownishly comical (4)  
20 Big, generous (5)  
21 To do with heredity (7)  
22 A looking back (in time) (10)

DOWN  
1 To trick; trickery (with pos. 5)  
2 Mealtime etiquette (5,7)  
3 Lister! (esp. to herald angels) (4)  
4 Tie up (6)  
5 Member of autocratic ruling group (8)  
6 Gossip (6-8)  
7 Fishing boats: slaps (6)  
12 Paolo - artist; overseer (anag.) (8)  
13 Handsome (6)  
15 Veteran (esp. actor) (6)  
16 Pleasure craft (5)  
19 Responsibility (4)

SOLUTION TO NO 967  
ACROSS: 1 Brandish 5 News 9 Signify 10 Hound 11 Bend 12 Hotline 14 Ulster 16 Squal 19 Killjoy 21 Inch 24 Extra 25 Bromide 26 Dodo 27 Cerebral

DOWN: 1 Busy 2 Angle 3 Dwindle 4 Scythe 6 Elusive 7 Suddenly 8 Shot 13 Bulthead 15 Saluted 17 Quibble 18 Bye-bye 20 Juan 22 Crier 23 Bell

SOLUTION TO TIMES TWO CROSSWORD 963  
In association with BRITISH MIDLAND

ACROSS: 1 Hapless 5 Lager 8 Leash 9 Hawkins 10 Conglomerate 12 Corona 14 Sleeve 17 Appassionata 21 Treadle 22 Oil 23 Press 24 Tetanus

DOWN: 1 Half-cock 2 Plain 3 Echelon 4 Scheme 5 Lower 6 Gristle 7 Risk 11 Defaults 13 Replete 15 Lookout 16 Ascent 18 Andes 19 Avion 20 Stop

1st PRIZE of a return ticket travelling economy class to anywhere on BRITISH MIDLAND's domestic or international network is B C Holdsworth, Halifax, West Yorkshire.

2nd PRIZE of a return ticket to anywhere on BRITISH MIDLAND's domestic network is V Hutchinson, London, S.W.15.

All flights subject to availability.



Botham offers advice to Silverwood, who could make his Test debut today

## Trust hits financial problems

THE Football Trust is to turn to the FA Premier League and National Sports Council for help in funding work demanded at grounds by the Taylor Report after encountering a financial crisis.

The Trust has been forced to hold back money it had hoped to earmark for stadium work in the lower divisions of the Football League because of the dramatic effect on its income caused by the National Lottery.

Money from the Trust's main sources - the weekly pools and spot-the-ball competitions - has fallen so sharply that it has only £15 million left to allocate for ground improvements until the year 2000.

Richard Faulkner, the Trust vice-chairman, said: "It is very serious. We had originally anticipated receiving £200 million out of betting duty between 1990 and 2000 - roughly £20 million a year - but we've had to revise that figure down to £165 million, of which £150 million has been spent or is out on offer now."

## FA charges Bristol City

BY RUSSELL KEMPSON

BRISTOL City, the Nationwide League second division club, has been charged by the Football Association with failing to control spectators during and after the derby match, which was shown live on television, against Bristol Rovers at Ashton Gate on Sunday. City, who claim they did everything they could to avoid trouble and who will seek a personal hearing in an attempt to clear their name, have 14 days to respond to the charge.

Trouble flared when Rovers equalised in injury time, sparking a mini-pitch invasion by celebrating Rovers supporters among the crowd of 18,674. Two hundred City supporters also left their seats, in another part of the ground, and ran towards their rivals. Though stewards and mounted police managed to usher them back, further, more alarming, disturbances occurred after the game had eventually ended in a 1-1 draw. City supporters again spilled on to the pitch, from the same section of the ground, and a number of Rovers players had to beat a hasty retreat to the dressing-rooms to escape.

"It is one of the most serious incidents we have had this year," Steve Double, an FA spokesman, said yesterday. "We thought scenes like this had gone away, but, clearly, there is no room for complacency in the fight against football hooliganism."

The FA's powers include censure, ground closure or the loss of points. Brighton, the bottom club in the Nationwide third division, have had two

City moves ahead \_\_\_\_\_ 41  
Midweek View \_\_\_\_\_ 42

points deducted this season after persistent crowd trouble at the Goldstone Ground.

Scott Davidson, the City chairman, has already discussed ways of avoiding future problems during Bristol derbies. They include the issuing of identity cards, the matches possibly being played behind closed doors and the banning of away fans.

Joe Jordan, the City manager, said: "It should have been a great day for the West Country, a day for showing everybody what good football there

is in Bristol and in the second division. Instead, everything was overshadowed by what happened. It was disgraceful."

The FA has also asked to see a video of the mass brawl that broke out between players of Norwich City and Crystal Palace in the 1-1 first division draw at Carrow Road on Saturday. Kevin Muscat and Ray Houghton, the Palace pair, were sent off after peace had been restored.

Dave Bassett, the Palace manager, said he would take disciplinary action within the club if he deemed it necessary after reviewing the incident. "The referee could have sent off 14 and abandoned the game," he said.

Derby County are again looking to Europe to strengthen their position in the FA Carling Premiership. Jim Smith, the Derby manager, has already recruited two Croatians and a Dane and now aims to bring a Swede to the Baseball Ground.

Derby hope to sign Marino Ramberg, a 23-year-old striker, on two months' loan from early January. The Degerfors IF forward is Sweden's young player of the year.

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